

Joint Standing Committee on Education and Cultural Affairs

LD 1 **An Act to Phase Out Community Income Considerations from the School Funding Formula** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J LAVERDIERE		

LD 1 proposes to phase out over a 3-year period the consideration of local median household income and proposes to increase by an equal percentage the reliance on property values in determining the local contribution portion of the school funding formula. The bill has been carried over to the Second Regular Session.

LD 3 **An Act to Establish Guidelines for High School Sports** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP MAJ OTP-AM MIN	

LD 3 proposed to require all school administrative units to allow student athletes and coaches to participate in sports-related activities at any time throughout the year. The bill also proposed to prohibit school administrative units from requiring student athletes to participate in sports outside the regular season in order to participate during the regular season.

LD 21 **An Act to Allow the Awarding of High School Diplomas to Veterans of World War II and the Korean Conflict** **PUBLIC 85
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD MARTIN	OTP-AM	H-124

LD 21 proposed to allow a local school board the option of granting a diploma to a veteran of World War II who was honorably discharged even though the veteran does not meet the graduation requirements of this Title.

Committee Amendment "A" (H-124) proposed to replace the bill while maintaining the original intent and incorporates issues included in 2 other similar bills, LD 182 and LD 282.

This amendment proposed to give secondary schools the authority to issue high school diplomas to veterans of World War II and the Korean Conflict who did not receive their diplomas because of service in the armed forces. The decision of whether to issue diplomas would be within the discretion of the secondary schools.

This amendment proposed to establish requirements for qualifying for a diploma. The person would be required to meet all the following requirements.

Joint Standing Committee on Education and Cultural Affairs

1. Either the veteran or the veteran's family must apply for the diploma. Diplomas may be awarded after the veteran has died.
2. The secondary school that receives the application may award the diploma only if the veteran attended that school, attended a secondary school in the geographic area now served by that secondary school or currently resides in the geographic area served by that secondary school no matter where the veteran attended secondary school.
3. The veteran must have left secondary school to serve in the Armed Forces of the United States during World War II or the Korean Conflict. This amendment defines "Armed Forces" to include the Army, Navy, Air Force, Marine Corps and Coast Guard. It also includes the Merchant Marines, but only for the dates for which members of the Merchant Marines are considered "veterans" by the Federal Government.
4. The veteran did not receive a diploma because of service in the armed forces.
5. The veteran must have received an honorable discharge or a certificate of honorable service from the armed forces.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 85 gives secondary schools the authority to issue high school diplomas to veterans of World War II and the Korean Conflict who did not receive their diplomas because of service in the armed forces. The law establishes requirements for qualifying for a diploma. The decision of whether to issue diplomas is within the discretion of the secondary schools.

Public Law 2001, chapter 85 was enacted as an emergency measure effective May 8, 2001.

LD 22

**Resolve, Regarding Legislative Review of Chapter 125.17D:
Regulations Governing Timeout Rooms, Therapeutic Restraints
and Aversives in Public Schools and Approved Private Schools, a
Major Substantive Rule of the Department of Education**

**RESOLVE 9
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-125

LD 22, a resolve, proposed to provide for legislative review of Chapter 125.17D: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, a major substantive rule of the Department of Education.

Committee Amendment "A" (H-125) proposed to make certain specific changes in the rule concerning the use of time-out rooms, therapeutic restraints and aversives provisionally adopted by the Department of Education.

Joint Standing Committee on Education and Cultural Affairs

1. The rule must be amended to provide that the local policy must be reviewed at least annually. The provisionally adopted rule requires the local policy to be reviewed at least quarterly.
2. The rule must be amended to require the documentation of a time-out room or therapeutic restraint be provided to the program administrator within 2 school days. The provisionally adopted rule requires the documentation to be completed within 24 hours.
3. The rule must be amended to delete from the definition of "aversive therapy or treatment" the terms "loud noises" and "humiliating practices." The provisionally adopted rule provides that aversive therapy or treatment is prohibited. The terms that must be deleted are too subjective to provide sufficient guidance. The definition must also be amended to delete the unnecessary "etc." that is at the end of the examples of prohibited aversive therapy or treatment.

Enacted law summary

Resolve 2001, chapter 9 authorizes final adoption of regulations concerning the use of time-out rooms, therapeutic restraints and aversives, a provisionally-adopted, major substantive rule of the Department of Education. The rule requires that documentation of a time-out room or therapeutic restraint be provided to the program administrator within 2 school days; and also requires that the local policy concerning the use of time-out rooms, therapeutic restraints and aversives must be reviewed at least annually.

Resolve 2001, chapter 9 was finally passed as an emergency measure effective May 8, 2001.

LD 111

An Act to Appropriate Funds for the Bath Higher Education Center

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO SMALL	ONTP	

LD 111 proposed to provide a General Fund appropriation of \$1,400,000 in fiscal year 2001-02 to renovate and equip classroom space at the Bath Higher Education Center of the Maine Technical College System.

Similar provisions to those contained in the bill, contingent upon passage of a \$1,000,000 General Fund bond to develop, renovate and equip the proposed Bath Higher Education Center, were included in P&SL 2001, c. 37. Other bills proposed to support an operating budget for the proposed Bath Higher Education Center (see LD 532 and LD 1378).

Joint Standing Committee on Education and Cultural Affairs

LD 147

**An Act to Protect the Academic Integrity of Maine's Public
Institutions of Higher Education**

PUBLIC 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MENDROS DAVIS P	OTP-AM	H-129

LD 147 proposed to prohibit the Maine State Commission for Higher Education Facilities from accepting funds from any source that would place conditions or restrictions on the use of funds in such a way as to interfere with or otherwise restrict the academic freedoms of state colleges and universities.

Committee Amendment "A" (H-129) proposed to strike and replace the bill and proposed to amend the bill title. Under this amendment, the Board of Trustees of the Maine Maritime Academy, the Board of Trustees of the University of Maine System and the Board of Trustees of the Maine Technical College System would each adopt a policy and a review process that ensures that each public system, its respective campus and any foundation related to each public system or campus is prohibited from accepting funds from any source that would interfere with or otherwise restrict the academic freedoms typically accorded to faculty members of higher educational institutions in teaching, research and expression of opinions.

Enacted law summary

Public Law 2001, chapter 86 provides that the Board of Trustees of the Maine Maritime Academy, the Board of Trustees of the University of Maine System and the Board of Trustees of the Maine Technical College System shall each adopt a policy and a review process that ensures that each public system, its respective campus and any foundation related to each public system or campus is prohibited from accepting funds from any source that would interfere with or otherwise restrict the academic freedoms typically accorded to faculty members of higher educational institutions in teaching, research and expression of opinions.

LD 150

**An Act to Provide Equal Access for Meeting the Needs of Students
at Public Institutions of Higher Education**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON O'GARA	ONTP	

LD 150 proposed to require public postsecondary institutions, other than the Maine Maritime Academy, to provide to private bookstores the same information and services that the postsecondary institution provides to campus bookstores operated by or on behalf of the institution.

Joint Standing Committee on Education and Cultural Affairs

LD 182

**An Act to Award High School Degrees to Certain Members of the
Armed Services**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREADWELL YOUNGBLOOD	ONTP	

LD 182 proposed to permit a secondary school to award a diploma to a veteran whose secondary school education was interrupted by service in the Armed Forces of the United States during World War II.

The substance of this bill was also addressed by other bills referred to the Education Committee (see LD 21, which was enacted as P.L. 2001, c. 85, and LD 282).

LD 215

An Act Regarding Out-of-district Placement

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON GOOLEY	ONTP	

LD 215 proposed to require the State to reimburse a school administrative unit for 100% of the unit's special education tuition and costs for an out-of-district placement approved by the Commissioner of Education. Under this bill, the Department of Education would have been required to appropriate funds for out-of-district special education placements to those school administrative units that have submitted supporting evaluative data justifying the placement of an exceptional student in an approved regional program.

LD 269

**An Act to Implement the Recommendations Relating to Education
Made by the Joint Study Committee to Study Bomb Threats in
Maine Schools**

**PUBLIC 67
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-94

LD 269 proposed to implement certain recommendations contained in the report of the Joint Study Committee to Study Bomb Threats in Maine Schools. The bill proposed to require the Department of Education to develop prototypical guidelines, policies and protocols for school administrative units to use in developing local responses to school bomb threats. The bill also proposed to require school boards to report bomb threats to the Commissioner of Education; to develop school bomb threat policies and protocols; and to include specific information addressing school bomb threat policies in their student handbooks.

Enacted law summary

Joint Standing Committee on Education and Cultural Affairs

Public Law 2001, chapter 67 implements several recommendations of the Joint Study Committee to Study Bomb Threats in Maine Schools. The law requires the Department of Education to consult with certain state and local officials in developing prototypical guidelines, policies and protocols for school administrative units to use in developing local responses to school bomb threats. The law also requires school boards to report bomb threats to the Commissioner of Education; to develop school bomb threat policies and protocols consistent with the prototypical policy guidelines; and to include specific information addressing school bomb threat policies in their student handbooks.

Public Law 2001, chapter 67 was enacted as an emergency measure effective May 2, 2001.

LD 282

An Act to Award High School Diplomas to World War II Veterans

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL LONGLEY	ONTP	

LD 282 proposed to permit a secondary school to award a diploma to a person who started secondary school between 1937 and 1946, left secondary school to serve in the Armed Forces of the United States, did not receive a diploma as a consequence of this service and received an honorable discharge.

The substance of this bill was also addressed by other bills referred to the Education Committee (see LD 21, which was enacted as P.L. 2001, c. 85, and LD 182).

LD 291

An Act to Require Teaching of Maine Native American History and Culture in Maine's Schools

PUBLIC 403

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LORING CATHCART	OTP-AM	H-666

LD 291 proposed to require that Maine Native American history and culture be taught in all elementary and secondary schools and requires the Department of Education to include Maine Native American history and culture in the system of learning results. This bill proposed to establish a commission to investigate and recommend how the Department of Education will accomplish this task.

Committee Amendment "A" (H-666) proposed to require that Maine Native American history and culture be taught in all elementary and secondary schools. The amendment also proposed to establish a study commission to identify and explore available materials and resources for Maine educators to use in implementing these instructional areas. The amendment proposed to authorize the Maine Indian Tribal-State Commission to carry out the study commission.

The amendment further proposed to require the study commission recommendations to include a plan to assist the Department of Education in helping school administrative units implement instruction in Maine Native American

Joint Standing Committee on Education and Cultural Affairs

studies. The plan for assistance must be established by July 30, 2004 and implemented during the 2004-2005 school year. Finally, the amendment proposed to allow a school administrative unit to delay implementation of instruction in Maine Native American studies if implementation of the component topics can not be achieved within existing local resources and requires the Department of Education to develop a reporting mechanism that permits a school administrative unit to report such a delay to the department at no cost to the unit.

The amendment also proposed to add a fiscal note to the bill.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Public Law 2001, chapter 403 requires that Maine Native American history and culture be taught in all elementary and secondary schools and establishes a study commission to identify and explore available materials and resources for Maine educators to use in implementing these instructional areas. The law authorizes the Maine Indian Tribal-State Commission to carry out the study commission and requires the study commission recommendations to include a plan to assist the Department of Education in helping school administrative units implement instruction in Maine Native American studies. The plan for assistance must be established by July 30, 2004 and implemented during the 2004-2005 school year. Finally, the law allows a school administrative unit to delay implementation of instruction in Maine Native American studies if implementation of the component topics can not be achieved within existing local resources and requires the Department of Education to develop a reporting mechanism that permits a school administrative unit to report such a delay to the department at no cost to the unit.

LD 329 **An Act to Increase the Number of Teachers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY	ONTP	
GOODWIN		

LD 329 proposed to require the Department of Education, the State Board of Education and the University of Maine System to create a program to encourage retired military personnel to seek teacher certification and to teach in the State.

LD 334 **An Act to Provide Incentives to Families Who Save for College** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART	ONTP	
SAXL		

LD 334 was re-referred from the Taxation Committee. The bill proposed to provide an income tax deduction for 10%, up to an aggregate maximum of \$2,000, of the amount contributed to a college savings account established under the Maine College Savings Program administered by the Treasurer of State and the Finance Authority of Maine. The bill also proposed to require the authority to provide information to the Department of Administrative and Financial Services, Bureau of Revenue Services for purposes of verifying eligibility for the deduction. The bill further proposed to make technical changes to resolve a conflict in the law.

Joint Standing Committee on Education and Cultural Affairs

LD 337

**Resolve, to Create a Study Commission on the Problems Created
By Inadequate Funding for Special Education Services**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY BERRY R	ONTP	

LD 337, a concept draft pursuant to Joint Rule 208, proposed to create a study commission to examine the impact that inadequate funding levels for special education services, at both the state and federal levels, have on students, families and communities. Under the proposed resolve, the commission would have reported the results of its study and would have made appropriate recommendations to address its findings to the Second Regular Session of the 120th Legislature.

LD 339

An Act to Address Violence in Schools

PUBLIC 189

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B RICHARD	OTP	

LD 339 proposed to include "engages in hostile, aggressive or threatening behavior toward a student, teacher, administrator or other staff member" in the crime of disturbing schools. The bill also proposed to indicate that if a person damages or destroys a school house or building the person commits a civil offense and damages are doubled. The bill also proposed to replace "reasonable time" with 45 working days for the time that a parent has to make good when a student loses or damages school property. After that time the municipality would collect the replacement costs, and the money collected would go to the municipality.

This bill proposed to strengthen the recourse to the authority who must deal with those who disrupt and vandalize the schools in our State.

Enacted law summary

Public Law 2001, chapter 189 expands laws regarding the crime of disturbing schools to include engaging in hostile, aggressive or threatening behavior toward a student, teacher, administrator or other staff member if the offense is committed on school property. The law further provides that if a person damages or destroys a school house or building the person commits a civil offense and damages are doubled. The law also clarifies that a parent of a public school student has 45 working days to provide compensation for or to replace lost or damaged school books or appliances that were furnished to the student. After that time, the municipality shall collect the replacement costs of the lost or damaged property and the money collected must go to the municipality.

Joint Standing Committee on Education and Cultural Affairs

LD 405 **An Act to Account for Homeschooled Children Under the School Funding Formula and to Require the Maine Educational Assessment for Homeschooled Children** **ONTP**

<u>Sponsor(s)</u> MILLS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 405 proposed to require that all home-schooled students participate in the Maine Educational Assessment. The bill also proposed that home-schooled students be included in the pupil count of the local school administrative units where they reside for the purposes of receiving state subsidy under the school funding formula.

LD 422 **Resolve, to Require the Department of Education to Propose Guidelines for Students Who Have Been Convicted of Violent Crimes** **ONTP**

<u>Sponsor(s)</u> MCLAUGHLIN DOUGLASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 422 proposed to require the Department of Education to develop guidelines for a school administrative unit to follow when providing public education to a student who has been indicted for or convicted of a violent crime.

LD 466 **An Act to Remove Liability from School Units When Releasing Information on School Employees Accused of Crimes** **CARRIED OVER**

<u>Sponsor(s)</u> O'BRIEN J		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 466 proposes to allow a school administrative unit to release confidential information about an employee or former employee to another school administrative unit for the purpose of a reference for employment. The bill has been carried over to the Second Regular Session and a committee letter sent to the Maine Education Association and the Maine School Management Association requesting that they mutually engage in further study of this proposed legislation.

Joint Standing Committee on Education and Cultural Affairs

LD 475

**An Act to Govern Fees Assessed by the Bureau of General Services CARRIED OVER
that Apply to School Construction Projects**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS LONGLEY		

LD 475 proposes to specify that the fee assessed a school administrative unit by the Department of Administrative and Financial Services, Bureau of General Services for services associated with a school construction project may not exceed \$15,000. The bill also proposes to require the Bureau of General Services to furnish reports to the project unit school board and the State Board of Education concerning the services provided on school construction projects. The bill has been carried over to the Second Regular Session.

LD 532

**An Act to Appropriate Funds to the Maine Technical College
System for the Programs and Operation of the Bath Higher
Education Center**

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO SMALL	OTP-AM	H-128

LD 532 proposed to provide a General Fund appropriation of \$396,000 in fiscal year 2002-03 to support an operating budget for the proposed Bath Higher Education Center.

Committee Amendment "A" (H-128) proposed to change the title of the bill and to reduce the General Fund appropriation for the operation of the Bath Higher Education Center from \$396,000 to \$300,000. The amendment also proposed to provide that, prior to the appropriation to the Board of Trustees of the Maine Technical College System for program and operating expenses of the proposed Bath Higher Education Center on the site of the former Mid Coast Hospital campus in Bath, the City of Bath must secure the necessary funds to develop, renovate and equip the proposed Bath Higher Education Center from private sector and public sector entities. The amendment further proposed to permit the City of Bath to use any unexpended and unobligated funds to support the program and operational budget of the Bath Higher Education Center. It also proposed to add a fiscal note to the bill. (Not adopted)

The provisions of the bill as amended by Committee Amendment "A" and contingent upon passage of a \$1,000,000 General Fund bond to develop, renovate and equip the proposed Bath Higher Education Center, were included in the Part II budget, P.L. 2001, c. 439, Part HHH. Other bills addressed the necessary funds to develop, renovate and equip the proposed Bath Higher Education Center (see LD 111 and LD 1378).

Joint Standing Committee on Education and Cultural Affairs

LD 535

An Act to Expand Educational Opportunities

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP NUTTING J		

LD 535 proposes to provide annual General Fund appropriations of \$600,000 in fiscal year 2001-02 and fiscal year 2002-03 for the University of Maine to expand doctorate-level education opportunities. The bill has been carried over to the Second Regular Session.

LD 567

**An Act to Financially Reward Maine Teachers Who Earn
Certification from the National Board for Professional Teaching
Standards**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	ONTP	

LD 567 proposed to provide General Fund appropriations of \$250,000 annually in fiscal years 2001-02 and 2002-03 to provide \$5,000 to a teacher who earns certification from the National Board for Professional Teaching Standards.

LD 604

An Act to Improve Education Service for Children with Disabilities

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	ONTP	

LD 604 proposed to specifically authorize the protection and advocacy agency designated by the Governor, charged with protecting and advocating for the rights of individuals with disabilities, with the responsibility and authority for providing advice and representation to parents going through the special education process. The bill further proposed that any state funding made available for that purpose be appropriated to this agency.

Through the school funding formula, the State currently reimburses school districts for legal advice and representation in the special education process. Parents of children with special needs do not receive any state assistance in seeking their rights under federal and state special education laws.

LD 605

An Act to Improve Opportunities for Recruitment of Teachers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	ONTP	

Joint Standing Committee on Education and Cultural Affairs

LD 605 proposed to create a state fund to provide a subsidy of up to \$2,000 per district to help schools hire teachers for hard-to-fill positions. The bill proposed to set a minimum teacher salary of 1.5 times the federal poverty level for a family of 3 with an additional \$2,000 differential for teachers with master's degrees. The bill also proposed to establish the Maine Teachers Student Loan Forgiveness Program as an additional incentive for teachers to teach in schools in this State.

LD 621 **An Act to Protect a Child's Right to Bike and Walk to School** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER	ONTP MAJ	
SAWYER	OTP MIN	

LD 621 proposed to prohibit school boards from banning students from bicycling or walking to school. The bill also proposed to require school construction projects to provide bicycle and pedestrian access to buildings, as well as adequate, secure and convenient bicycle parking.

LD 622 **An Act to Eliminate the Use of Tobacco in Maine Schools and on School Grounds** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE	OTP-AM MAJ	H-123
GAGNON	ONTP MIN	

LD 622 proposed to prohibit smoking in schools and on the grounds of any elementary or secondary school, including a recreational playing field or athletic facility.

Committee Amendment "A" (H-123) proposed to correct an error in the title and clarify that the prohibition on the use of tobacco would apply to buildings owned or leased or contracted for by an elementary or secondary school.

LD 627 **An Act to Expand the Definition of School Construction to Include Renovation and Expansion of Existing Facilities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	ONTP	
GAGNON		

LD 627 proposed to expand the definition of school construction projects to include renovations or expansions to existing schools.

Joint Standing Committee on Education and Cultural Affairs

LD 659

Resolve, to Promote the Blueberry Industry

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY DUGAY	ONTP	

LD 659 proposed to direct the University of Maine Cooperative Extension to develop a plan to create a blueberry museum in Jonesport.

LD 660

An Act to Amend the Laws Governing a Conflict of Interest for a School Board Member

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J JACOBS	ONTP MAJ OTP-AM MIN	

LD 660 proposed to amend the conflict of interest law for school board members to allow a member's spouse to be employed on a temporary, seasonal, part-time or substitute basis at a school within the jurisdiction of the school board of which the person's spouse is a member.

Committee Amendment "A" (S-310) proposed to replace the bill and was the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment proposed to create an exception in the school employment laws that allows a spouse of a school board member or school union representative to serve as a part-time, seasonal, temporary or substitute employee in a public school or contract high school or academy where that person's spouse serves as a school board member or school union representative. The amendment proposed to require notice of a spouse's application for employment to the school board or school union committee, policies for prescribing the terms and conditions under which a school board or school union committee may hire a spouse of a school board member or school union committee member and the requirement that a school board member must be excused from any discussions of salary or other personnel matters directly affecting that member's spouse. The amendment proposed to add an emergency preamble and an emergency clause to the bill. This amendment was not adopted.

LD 690

Resolve, to Study the Special Education Teacher Shortage

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 690, a concept draft pursuant to Joint Rule 208, proposed to establish a commission to study and report on the structure and operation of the special education system in Maine schools for the purpose of alleviating the shortage of teachers in the special education field.

Joint Standing Committee on Education and Cultural Affairs

LD 715

An Act to Change the Truancy Laws

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR	OTP-AM MAJ	
KILKELLY	ONTP MIN	

LD 715 proposed to amend the truancy laws to allow law enforcement officers to summons the parent or guardian of a truant student to appear in court. The court may order the student to attend school, hold the parent or guardian in contempt of court and suspend any state license issued to the parent or guardian for failing to comply with the court's orders related to the student's attendance at school.

Committee Amendment "A" (H-211) was the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment proposed to change the provision of the bill that proposed to require the District Court to order injunctive relief against a person who has control or is responsible for a habitual truant by reverting to existing law that provides the District Court with the discretion of ordering injunctive relief in such cases. The amendment was not adopted.

Committee Amendment "B" (H-614) was the majority report of the Joint Standing Committee on Education and Cultural Affairs (following the recommittal of the bill to the committee). The amendment accomplishes the following.

1. It strikes the provision of the bill that proposed to allow the court to suspend any state license issued to the parent or guardian of a student who is habitually truant for failing to comply with the court's orders related to the student's attendance at school.
2. It authorizes the court to suspend the driver's license, recreational license or work permit issued to a student who is habitually truant and repeals this authority on July 1, 2003.
3. It directs the Commissioner of Education's advisory committee on truancy, dropouts and alternative education to collect data on any penalties imposed by the court on habitual truants and to include recommendations concerning the need for extending authorization for these penalties in its annual report to be presented by February 1, 2003 to the Commissioner of Education and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs.
4. It changes the provision of the bill that proposed to require the court to order injunctive relief against a person who has control of or is responsible for a habitual truant by reverting to existing law that provides the court with the discretion of ordering injunctive relief in such cases.
5. It retains the provision of the bill that allows the court to order the student to attend school.

The amendment also proposed to add a fiscal note to the bill. The amendment was not adopted.

House Amendment "A" to Committee Amendment "B" (H-653) proposed to strike those provisions of the bill and Committee Amendment "B" that apply culpability for the truancy of the student to the parent or guardian, including:

1. Allowing a law enforcement officer to summons the parent or guardian to appear in court; and

Joint Standing Committee on Education and Cultural Affairs

2. Providing a civil violation for a parent or guardian who has control or primary responsibility for a habitually truant student.

The amendment also proposed to make changes to clarify that the injunctive relief ordered by the court applies only to the truant student. The amendment was not adopted.

LD 720 **An Act to Increase the Bonding Limit of the Trustees of the City of Brewer High School District from \$2,500,000 to \$5,000,000** **P & S 27**

<u>Sponsor(s)</u> FISHER YOUNGBLOOD	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-522
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LD 720 proposed to increase the debt limit of the City of Brewer High School District from \$2,500,000 to \$5,000,000 subject to approval at referendum by the voters of the City of Brewer.

Committee Amendment "A" (H-522) proposed to make revisions to the bill to provide more permissive language to the bill to permit the trustees of the City of Brewer High School District to submit a referendum to the legal voters of the City of Brewer no later than December 31, 2001. The proposed referendum must only seek to increase the bonding limit of the school district from \$2,500,000 to \$5,000,000.

Enacted law summary

Private and Special Law 2001, chapter 27 permits the trustees of the City of Brewer High School District to submit a referendum to the legal voters of the City of Brewer no later than December 31, 2001 for the purpose of seeking to increase the bonding limit of the school district from \$2,500,000 to \$5,000,000.

LD 731 **An Act to Require Gun Safety Education** **ONTP**

<u>Sponsor(s)</u> PERKINS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 731 proposed to require gun safety education to be included in the curriculum of elementary schools.

Joint Standing Committee on Education and Cultural Affairs

LD 732

**An Act to Encourage Maine's Best and Brightest Students to
Continue their Education in the State of Maine**

**DIED IN
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	ONTP MAJ	
PENDLETON	OTP MIN	

LD 732 proposed to mandate that any Maine high school student who graduates with a grade point average of 3.0 or higher on a scale of 4.0 is automatically admitted to any state postsecondary educational institution.

LD 750

Resolve, to Promote Ethnic Diversity and Maine's French Heritage

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MENDROS	ONTP MAJ	
LAFOUNTAIN	OTP-AM MIN	

LD 750 proposed to require the Department of Education to conduct a pilot project to promote ethnic diversity and Maine's French heritage, including the teaching of French, in kindergartens in communities with strong French ties and history.

LD 754

**Resolve, to Study the Feasibility of a 4-year Vocational Educational
Program**

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANNIS	OTP-AM	H-191
DAVIS P		

LD 754 proposed to require that vocational centers and regions provide a 4-year vocational education program for high school students and adults.

Committee Amendment "A" (H-191) proposed to change the bill to a resolve, changes its title and replaces the bill.

The amendment would have created a commission to study the feasibility of establishing a 4-year vocational education program that would have been composed of 3 members of the House of Representatives and 3 members of the Senate. The duties of the commission were to review any applicable studies on this subject previously conducted in the State, review and assess 4-year vocational education programs in other states, determine the need for such a program in Maine in each of the trade groups and review issues related to the start-up of such a program including issues of access, choices of curricula, scheduling, consistency with goals of the statewide system of learning results, questions of capacity and coordination and any other issues considered relevant by the commission.

Joint Standing Committee on Education and Cultural Affairs

The amendment also proposed to direct the commission to establish a stakeholder group to assist and advise the commission during its study and directs the commission to report its findings to the Legislature by December 6, 2001.

LD 766

Resolve, to Improve Child Development Services

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	OTP-AM MAJ	H-662
MITCHELL B	OTP-AM MIN	

LD 766, which was jointly referred to the Education and Cultural Affairs Committee and Health and Human Services Committee, proposed to transfer responsibility for administering the Child Development Services System from the Department of Education to the Department of Human Services, effective July 1, 2002.

In the House the bill was finally passed as amended by Committee Amendment A; and the Senate initially engrossed it with the same amendment. Later the Senate indefinitely postponed the bill and it died between the houses on adjournment. At the end of the session, the Education Committee, by letter, requested that the Commissioner of Education report to the committee next session with appropriate recommendation for the improvement of early intervention and special education services for children up to age 6, including changes in CDS System structure and funding.

Committee Amendment "A" (H-662), the majority report of the committees, proposed to replace the bill and convert it to a resolve. The amendment proposed that the Commissioner of Education review the current delivery of services and develop a plan for reorganization of the provision of child development services required under federal law to children from birth to under 6 years of age throughout the State. The plan would have provided for centralized administration of the system for. In the process of developing the plan, the department was directed to consult with the Department of Human Services and Department of Mental Health, Mental Retardation and Substance Abuse Services. To provide required services in a timely manner, the plan would have established regional sites.

A 6-member legislative subcommittee was proposed to advise the Commissioner of Education in developing the plan. The subcommittee would have consisted of members of the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The commissioner and subcommittee were directed to use the services of outside consultants from national organizations in reviewing the current system and developing the reorganization plan.

The commissioner was to report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services by January 15, 2002. The report would have included the proposed reorganization plan, provisions for implementation by July 1, 2002, including transition issues and proposed implementing legislation. The joint standing committees were authorized to introduce legislation to the Second Regular Session of the 120th Legislature to implement the plan.

The amendment also proposed to add an appropriation section and a fiscal note to the bill.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "B" (H-663), the minority report of the committees, also proposed to replace the bill and convert it a resolve. It proposed that the Commissioner of Education's provider-director workgroup and the Maine Advisory Council on the Education of Children with Disabilities collaborate in the review of delivery of services to children with disabilities from birth to under 6 years of age and report to the Commissioner of Education with a preliminary report by October 10, 2001 and with a final report by January 10, 2002. The report was to address improved quality and consistency of services, professional development needs and ways to improve interagency coordination and collaboration.

The amendment also proposed that the Commissioner of Education in collaboration with the National Conference of State Legislatures, appropriate state and legislative agencies and other qualified entities conduct a survey of the families receiving services under the Child Development Services System and of the contract providers under that system. The survey was to address all aspects of the system and would have resulted in identification of information necessary to develop recommendations concerning whether and how the system needs to be revised.

The amendment proposed to direct the commissioner to report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services in January 2002 on the results of the collaboration of the provider-director workgroup and the Maine Advisory Council on the Education of Children with Disabilities and the survey. The committees would have been authorized to introduce legislation next session.

The amendment also proposed to add a fiscal note to the bill.

LD 770 **Resolve, to Encourage Entrepreneurship Education and Outreach** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	ONTP MAJ	
CLOUGH	OTP MIN	

LD 770 proposed to direct the Department of Education to consider recommendations from the Department of Economic and Community Development and from other interested parties on entrepreneurship to encourage entrepreneurship education in kindergarten to grade 12 and in postsecondary education systems and to improve outreach of entrepreneurship education to rural areas of the State.

LD 811 **An Act to Retain Engineering Expertise in the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART	ONTP	
SAXL		

LD 811 proposed to establish the Maine Engineers Recruitment and Retention Program to provide financial assistance and incentives to any graduate of a college of engineering within the University of Maine System to become an employee in an engineering position in the State. The program also proposed to provide loan repayment to up to 10 eligible engineers working in Maine businesses. Under the proposed bill, the employers who applied for the loan repayment funds would have matched all funds received by their employees. The program would have

Joint Standing Committee on Education and Cultural Affairs

been administered by the Finance Authority of Maine with assistance in determining recipients from an advisory committee.

LD 842 **An Act to Allow Senior Citizens to Take One Course per Semester at the University of Maine System without Charge** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNCAN	ONTP	
MARTIN		

LD 842 proposed to allow a person 65 years of age or older to take one course per year free of charge in any University of Maine System institution if there is available space in the class.

LD 859 **An Act to Fund Technology Advancements for Maine's Libraries** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	ONTP	
DAGGETT		

LD 859, a concept draft pursuant to Joint Rule 208, proposed to fund technology advancements for Maine's libraries.

LD 860 **Resolve, Requiring the Department of Audit to Review Procedures, Goals and Actual Expenditures of General Purpose Aid Disbursements through the School Funding Formula** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	ONTP	
DAVIS P		

LD 860 proposed to direct the Department of Audit to examine disbursements of general purpose aid for education and to report its findings to the Joint Standing Committee on Education and Cultural Affairs.

LD 873 **An Act to Require Cardiopulmonary Resuscitation Certification Prior to Graduation from High School** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	ONTP MAJ	
	OTP-AM MIN	

Joint Standing Committee on Education and Cultural Affairs

LD 873 proposed to add certification in cardiopulmonary resuscitation to the high school diploma curriculum requirements.

LD 878 **An Act to Extend Options for Obtaining a General Educational Diploma** **ONTP**

<u>Sponsor(s)</u> SULLIVAN MICHAUD MH	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 878 proposed to allow the University of Maine System to offer an on-line program to allow individuals the opportunity to obtain their general educational diploma.

LD 888 **An Act Concerning the Benefits and Privileges of Tuition Students at Receiving Public and Private Schools** **ONTP**

<u>Sponsor(s)</u> WINSOR FERGUSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 888 proposed to provide tuition students from the unorganized territory with the same privileges and benefits as other students in the public or private school to which the tuition student attends. This bill also proposed to broaden the law to apply to all tuition students, regardless of whether the tuition student resides in a municipality or an unorganized territory.

LD 889 **An Act to Establish a Mandated Minimum for Teachers' Salaries** **CARRIED OVER**

<u>Sponsor(s)</u> BAKER MICHAUD MH	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 889 proposes to establish a mandatory minimum salary of \$25,000 for certified teachers and to provide a block grant of \$800 per teacher to each school administrative unit for teachers' salaries. The bill has been carried over to the Second Regular Session.

Joint Standing Committee on Education and Cultural Affairs

LD 945

Resolve, to Establish a Task Force to Examine the Establishment and Implementation of State Standards for Indoor Air Quality in Maine Schools

**RESOLVE 50
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	OTP-AM	H-631

LD 945, a concept draft pursuant to Joint Rule 208, proposed to revise and create air quality standards for renovations and construction of schools. This bill also proposed to increase the number of personnel in the Department of Environmental Protection, Bureau of Air Quality for the purpose of implementing and enforcing the new air quality standards.

Committee Amendment "A" (H-631) proposed to change the bill to a resolve and establish the Task Force to Examine the Establishment and Implementation of State Standards for Indoor Air Quality in Maine Schools to examine the advisability of establishing and implementing indoor air quality standards for school facilities. The task force would report to the Joint Standing Committee on Education and Cultural Affairs and the Legislative Council by November 15, 2001.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Resolve 2001, chapter 50 establishes the Task Force to Examine the Establishment and Implementation of State Standards for Indoor Air Quality in Maine Schools to examine the advisability of establishing and implementing indoor air quality standards for school facilities. The task force is to submit its report, including findings and recommendations, to the Joint Standing Committee on Education and Cultural Affairs and the Legislative Council by November 15, 2001. The law also authorizes the committee to report out a bill to the Second Regular Session of the 120th Legislature.

Resolve 2001, chapter 50 was finally passed as an emergency measure effective June 8, 2001.

LD 963

An Act to Protect Occupants from Diesel Exhaust Emitted by School Buses

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHICK	ONTP MAJ OTP-AM MIN	

LD 963 proposed to require a school board to consider the amount of pollution emitted by a school bus when purchasing a school bus.

Joint Standing Committee on Education and Cultural Affairs

LD 967

An Act to Waive Immunization Requirements for Students Participating in Distance Programs

PUBLIC 87

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS LEMONT	OTP-AM	H-192

LD 967 proposed to provide an exemption to the immunization laws for students who enroll in distance education programs offered by colleges, universities, technical colleges and schools for the health professions. This exemption would apply only in cases in which the student does not attend any classes or programs at a campus in the State.

Committee Amendment "A" (H-192) proposed to strike and replace the bill to clarify that the exemption to the immunization requirements for postsecondary education students applies only to students who are enrolled in a distance education program at a postsecondary educational institution in the State and who do not physically attend any classes or programs at an institution facility, including a campus, center or site affiliated with that institution or any other postsecondary educational institution in the State.

Enacted law summary

Public Law 2001, chapter 87 provides an exemption to the immunization requirements for postsecondary education students for those students who are enrolled in a distance education program at a postsecondary educational institution in the State and who do not physically attend any classes or programs at an institution facility, including a campus, center or site affiliated with that institution or any other postsecondary educational institution in the State.

LD 977

An Act to Reduce Tuition at Postsecondary Education Institutions of the State for Students Who Maintain a 3.0 Grade Point Average in High School

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS SAVAGE C	ONTP MAJ OTP-AM MIN	

LD 977 proposed to allow secondary school students who graduate with at least a 3.0 grade point average to receive reduced tuition at the University of Maine System or the Maine Technical College System.

Joint Standing Committee on Education and Cultural Affairs

LD 991

An Act to Expand the Maine Mathematics, Science and Engineering Talent Search Venture **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	OTP-AM MAJ	
JONES	ONTP MIN	

LD 991 proposed to provide funding to the University of Maine System to fund the Maine Mathematics, Science and Engineering Talent Search, a pilot project joint venture between the University of Maine System and the Maine Mathematics and Science Alliance. The venture is a correspondence program for children in grades 6 to 12 to encourage and assist the development of problem-solving skills by mailing participating students problems 8 times per year, scoring the students' answers and recognizing the top scorer in each grade through awards and, for high school juniors and seniors, possible scholarships to the University of Maine System.

Committee Amendment "A" (S-94) was the majority report of the Joint Standing Committee on Education and Cultural Affairs and proposed to strike and replace the bill. The amendment proposed to reduce the General Fund appropriation for the Maine Mathematics, Science and Engineering Talent Search from \$97,000 to \$94,265 in fiscal year 2001-02 and eliminate the proposed General Fund appropriation for fiscal year 2002-03. The amendment also proposed to provide that the appropriation will be made to the Maine Mathematics and Science Alliance to support the administrative and operating costs of the Maine Mathematics, Science and Engineering Talent Search program. The amendment also proposed to add a fiscal note to the bill. The amendment was not adopted.

LD 994

Resolve, to Provide a Process for Amending the Cost-sharing Method Used in School Administrative District No. 33

RESOLVE 55

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-285

LD 994 proposed to establish a so-called "circuit breaker" provision to limit the disparity of member municipalities' shared costs per pupil within a school administrative district. The bill proposed to provide that a school administrative district is required to adjust the method of sharing local costs of operating the district when the difference between the per pupil costs of 2 or more municipalities within the district is greater than 25%.

Committee Amendment "A" (S-285) proposed to strike and replace the bill with a resolve. The amendment proposed to provide for a process of so-called "final offer arbitration" as a means to revising the method of sharing costs between the municipalities of St. Agatha and Frenchville in the 2-member district of School Administrative District No. 33. The amendment proposed to require that, notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, section 1301, subsection 3, the Commissioner of Education appoint an arbitrator to assist the representatives of School Administrative District No. 33 in the settlement of a dispute related to amending the cost-sharing formula between the 2 parties.

The amendment also proposed to add a fiscal note to the resolve.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Resolve 2001, chapter 55 provides for a process of so-called "final offer arbitration" as a means to revising the method of sharing costs between the municipalities of St. Agatha and Frenchville in the 2-member district of School Administrative District No. 33. The law provides that, notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, section 1301, subsection 3, the Commissioner of Education may appoint an arbitrator to assist the representatives of School Administrative District No. 33 in the settlement of a dispute related to amending the cost-sharing formula between the 2 parties. The law also directs the State Board of Education to review the effectiveness of this alternative dispute resolution process, to evaluate the potential for alternative dispute resolution processes in encouraging 2-member districts to resolve disputes in reconsidering the method of sharing district costs and to report its findings and any recommendations to the Joint Standing Committee on Education and Cultural Affairs by April 15, 2002. The law further authorizes the committee to report out legislation regarding the alternative dispute resolution process to the Second Regular Session of the 120th Legislature.

LD 999

**An Act to Provide First Responder Teams For Schools to Assist
with Violent and Chronically Disruptive Students**

ONTP

Sponsor(s)
CATHCART
QUINT

Committee Report
ONTP

Amendments Adopted

LD 999 proposed to direct each school board to adopt a policy to implement a first responder team at each school within a school administrative unit and provide state funding to train members of the first responder teams.

LD 1011

**An Act to Modify the Maine Student Incentive Scholarship
Program**

**PUBLIC 70
EMERGENCY**

Sponsor(s)
SMALL
RICHARD

Committee Report
OTP-AM

Amendments Adopted
S-39

LD 1011 proposed to amend the provisions of the student incentive scholarship program by renaming the program and by redefining the maximum length of the grant to a period equal to 150% of the total amount of time the institution that the student is attending publishes as the ordinary length of the program in which the student is enrolled. The bill also proposed to clarify language that restricted the use of grant funds from replacing institutional or other grant aid.

Enacted law summary

Public Law 2001, chapter 70 amends certain provisions of the student incentive scholarship program by renaming the program and by redefining the maximum length of the grant to a period equal to 150% of the total amount of time the institution that the student is attending publishes as the ordinary length of the program in which the student is enrolled. The law also clarifies the existing statutory provision that restricts the use of grant funds from

Joint Standing Committee on Education and Cultural Affairs

replacing institutional or other grant aid; and provides for a sunset review of this provision by requiring the Finance Authority of Maine to provide recommendations to the Governor and the Legislature concerning the need for extending or repealing authorization for this provision in its annual report to the Legislature for fiscal year 2002-03.

Public Law 2001, chapter 70 was enacted as an emergency measure effective May 2, 2001.

LD 1020

**Resolve, to Assess the Condition of Historical Records in Maine
Historical Records Repositories**

**RESOLVE 10
EMERGENCY**

<u>Sponsor(s)</u> DUNLAP GAGNON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-126
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LD 1020, a resolve, proposed to require the Secretary of State and the University of Maine System to develop a plan for designating regional depositories for rare books, manuscripts and vital records.

Committee Amendment "A" (H-126) proposed to replace the resolve, make the resolve an emergency and change the title of the resolve.

This amendment would have required the Secretary of State and the University of Maine System to plan for assessing the condition of historical records in Maine, the threats to the integrity of those records and accessibility of those records. The plan proposed to include an educational component that provides assistance to historical records repositories in protecting, preserving and providing access to those materials.

The amendment proposed that the Secretary of State and the University of Maine System report back to the Joint Standing Committee on Education and Cultural Affairs on that plan by February 1, 2002.

Enacted law summary

Resolve 2001, chapter 10 requires the Secretary of State and the University of Maine System to plan for assessing the condition of historical records in Maine, the threats to the integrity of those records and accessibility of those records. The plan must include an educational component that provides assistance to historical records repositories in protecting, preserving and providing access to those materials. The law also directs the Secretary of State and the University of Maine System to report back to the Joint Standing Committee on Education and Cultural Affairs on that plan by February 1, 2002.

Resolve 2001, chapter 10 was finally passed as an emergency measure effective May 8, 2001.

Joint Standing Committee on Education and Cultural Affairs

LD 1032 **An Act to Allow Unexpended Balances in Funds Appropriated for a School Breakfast Incentive Grants Program to Carry Forward into Subsequent Years to be Used for School Breakfast Grants to Schools** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	OTP-AM	H-293

LD 1032 proposed to increase the state subsidy for public school food service programs per pupil to 3¢ with 1.5¢ dedicated to breakfast programs, and to require the Department of Education to examine food service program delivery to increase student participation rates. The bill also proposed to direct the department to establish a school breakfast program and to develop a pilot universal school lunch program.

Committee Amendment "A" (H-293) proposed to replace the bill. The amendment proposed to retroactively amend an appropriation for a school breakfast incentive grant program included in a 1999 supplemental budget to allow unexpended balances in that account to carry forward from year to year to be used for school breakfast incentive grants. Without this retroactive amendment, those unexpended balances would lapse to the General Fund. This amendment did not propose to appropriate any new money for that program.

LD 1043 **An Act to Increase Access to Higher Education** **P & S 40**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL	OTP-AM MAJ	H-656
CATHCART	ONTP MIN	S-401 DAGGETT

LD 1043 proposed to establish the Maine Education Foundation and the Maine Education Endowment Fund to provide eligible Maine residents with the financial resources to access postsecondary education opportunities and achieve higher levels of educational attainment. The bill proposed to accomplish the following.

1. It establishes an 11-member board of directors to advise the Chief Executive Officer of the Maine Education Foundation on the operation of the foundation programs and investment of the endowment fund.
2. It provides that endowment funds be allocated to qualified institutions of higher education in the State and qualifying nonprofit corporations for the purpose of implementing a supplemental incentive grant program that targets these funds to a student's unmet need or supplemental education loan balance. These funds may not supplant scholarships, grants or other nonloan sources of financial assistance, but must be applied to an eligible student's unmet need or supplemental education loan balance.
3. It establishes an internship program for postsecondary education students with public and private sector organizations and institutions throughout the State. Students who participate in a qualified internship may be eligible for forgiveness of all or part of their student loans.
4. It authorizes the foundation to establish a clearinghouse for postsecondary education programs and student financial assistance, and to foster the leadership capacity of public and private sector agencies and

Joint Standing Committee on Education and Cultural Affairs

organizations and the capacity of institutions of higher education in the State to accomplish the postsecondary education enrollment, educational attainment and economic development goals of the State.

5. It authorizes the foundation to establish a request for proposal process for administering student financial assistance programs with proceeds from the endowment fund, including researching and tracking the outcomes of the student financial assistance programs.

Committee Amendment "A" (H-656) proposed to strike and replace the bill. The amendment proposed to establish the Maine Scholarship Foundation and the Maine Scholarship Endowment Fund to provide eligible Maine residents with the financial resources to access postsecondary education opportunities and attain higher levels of education. The amendment proposed to accomplish the following.

1. It establishes a 9-member board of directors of the Maine Scholarship Foundation to direct the operation of the foundation programs and investment of the endowment fund.
2. It provides that endowment funds be allocated to public institutions of higher education in the State and to qualifying nonprofit corporations for the purpose of establishing scholarship programs that provide endowment funds and funds from matching gifts to reduce the unmet financial need of Maine residents enrolled in public and private institutions of higher education in the State.
3. It provides that the Finance Authority of Maine shall provide staffing assistance to the board of directors of the foundation; and further directs the foundation to integrate information regarding the scholarship programs funded by the foundation with the clearinghouse established by the Finance Authority of Maine on postsecondary education programs and student financial assistance resources in the State; and
4. It authorizes the foundation to establish a request for proposal process for administering student financial assistance programs with proceeds from the endowment fund, including researching and tracking the outcomes of the student financial assistance programs.

It proposed to add a fiscal note to the bill.

Senate Amendment "B" to Committee Amendment "A" (S-401) proposed to provide a General Fund appropriation to the Senator George J. Mitchell Scholarship Research Institute to benefit Maine residents attending institutions of higher education.

Enacted law summary

Private and Special Law 2001, chapter 40 provides a General Fund appropriation of \$1,500,000 as a grant to the Senator George J. Mitchell Scholarship Research Institute to provide scholarship funds to benefit Maine residents attending institutions of higher education.

Joint Standing Committee on Education and Cultural Affairs

LD 1047

An Act Concerning Teacher Certification for Targeted Need Areas

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON	ONTP MAJ	
NUTTING J	OTP MIN	

LD 1047 proposed to add guidelines to the provision enacted in the 119th Legislature providing for a targeted need area teaching certificate. The bill proposed to require the Commissioner of Education to annually determine teacher shortage areas and identify the use of targeted need area certificates. The bill also proposed to limit the certificates to a period of one year and clarify the hierarchy of all types of certificates.

LD 1089

An Act to Improve Taxpayer Equity in School Funding

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ABROMSON		
ETNIER		

LD 1089 proposes to increase the weight of the income factor in the school funding formula from 15% to 25%. It also proposes to use the cost-of-living factor to adjust a municipality's property values. This bill also proposes to require the State to use a school unit's weighted relative fiscal capacity to calculate a unit's local share of program costs. The bill has been carried over to the Second Regular Session.

LD 1090

An Act to Repeal the Requirement that School Employees be Fingerprinted

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	PURSUANT TO	
WATERHOUSE	JOINT ORDER	

LD 1090 proposed to repeal the law requiring background checks and fingerprinting of school employees. This bill also proposed to correct cross-references to the repealed provisions.

House Amendment "A" (H-701) proposed to require the Commissioner of Education to reinstate the certification of educational personnel who were denied certification solely because they refused to comply with the requirement that they be fingerprinted. It also proposed to provide that the Commissioner of Education must determine, after a hearing, whether to grant certification to a person who was fingerprinted and who was denied certification on the basis of the laws that required fingerprinting of educational personnel. The amendment was not adopted.

House Amendment "B" (H-711) proposed to restrict application of the fingerprinting and background check requirements to newly hired educational personnel. This amendment proposed to authorize the Maine State Police and the Commissioner of Education to release certain general information relating to the fingerprinting and criminal

Joint Standing Committee on Education and Cultural Affairs

history record checks of educational personnel. It also proposed to add an appropriation section to the bill. The amendment was not adopted.

While the Education Committee initially voted to carry over this bill to the Second Regular Session, the bill was returned to the Senate pursuant to a joint order (see SP 647).

LD 1100 **An Act to Allow Municipal Officers to Negotiate Employment Contracts with School Employees** **ONTP**

<u>Sponsor(s)</u> SCHNEIDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1100 proposed to authorize the officers of a municipality, by a majority vote, to elect to negotiate employment contracts with employees of a municipal school unit.

LD 1133 **Resolve, Requiring the Maine Arts Commission to Review the Feasibility of Establishing a Performing Artist Subsidy Program for Fairs** **RESOLVE 16**

<u>Sponsor(s)</u> NASS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-143
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LD 1133 proposed that the Maine Arts Commission establish the Arts at Maine Fairs Subsidy Program to encourage fairs to feature Maine performing artists.

Committee Amendment "A" (H-143) proposed to change the bill to a resolve, change its title and replace the bill.

The amendment proposed to direct the Maine Arts Commission to review the feasibility of establishing a program to provide grants to fairs to assist in paying the fees charged by artists who perform at fairs. The commission would have been required to consult with the Department of Agriculture, Food and Rural Resources, the Maine Association of Agricultural Fairs, the Maine Performing Arts Network and other interested individuals or groups when conducting this feasibility review. The proposed goals of the program were to assist fairs to pay for performing artists, to provide an incentive for fairs to choose local performing artists and to assist local artists to become more widely known through advertising and promotional events. Payments to fairs were proposed to not exceed 50% of the performing artists' fees and must be capped at a fixed amount per fair for any calendar year.

The amendment also proposed to direct the commission to report its findings by February 1, 2002 to the Joint Standing Committee on Education and Cultural Affairs and to authorize that committee to report out legislation on that subject to the Second Regular Session of the 120th Legislature.

Enacted law summary

Joint Standing Committee on Education and Cultural Affairs

Resolve 2001, chapter 16 directs the Maine Arts Commission to consult with the Department of Agriculture, Food and Rural Resources, the Maine Association of Agricultural Fairs, the Maine Performing Arts Network and other interested parties to review the feasibility of establishing a program to provide grants to fairs to assist in paying the fees charged by artists who perform at fairs. The goals of the program are to assist fairs to pay for performing artists, to provide an incentive for fairs to choose local performing artists and to assist local artists to become more widely known through advertising and promotional events. The law directs the commission to report its findings by February 1, 2002 to the Joint Standing Committee on Education and Cultural Affairs and authorizes that committee to report out legislation on that subject to the Second Regular Session of the 120th Legislature.

LD 1134 **An Act to Create Equity Among all Children in Need of Special Education or Supportive Services** **ONTP**

<u>Sponsor(s)</u> RICHARDSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1134 proposed to require the Department of Education to amend its rules to provide equivalent special education and supportive services to all students whether they are in a public school, private school or home school. It also proposed to correct a reference to the former Protection and Advocacy Agency for the Developmentally Disabled in Maine and correct a cross-reference.

LD 1163 **An Act to Accelerate the Construction of New Schools** **ONTP**

<u>Sponsor(s)</u> TURNER FOSTER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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1163 proposed to establish specific time frames and a time line for the State Board of Education, the Department of Education and school administrative units in the State to review and approve the necessary requirements under the Maine Revised Statutes, Title 20-A, chapter 609 so that school administrative units may begin construction for certain state-supported school construction projects. The bill proposed to accomplish the following.

1. Require that state agencies responsible for approving plans and specifications review the required plans and specifications in a school construction application and approve or disapprove the application within 60 days of receiving it.
2. Provide that the state board, the department, school administrative units and school boards make every reasonable effort to complete the review, local vote, approval and any other requirements necessary so that construction may begin within 12 months of the Legislature's action approving maximum debt service limits.

Joint Standing Committee on Education and Cultural Affairs

LD 1183

Resolve, to Establish a Political Education Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY	ONTP	

LD 1183 proposed to direct the Department of Education to develop a political education program, based upon the education programs sponsored by the National Assembly of Quebec, to introduce the political system of the State to students and the general public and to enhance their understanding of how State Government works and affects our surroundings.

LD 1184

An Act to Guarantee Hot Lunches for Maine Students

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 1184 proposed to require all public secondary schools to participate in the National School Lunch Program. This bill also proposed to correct a cross-reference.

LD 1214

An Act to Encourage the Use of Locally Grown Foods in School Food Service Programs

PUBLIC 447

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	ONTP MAJ	S-174 KILKELLY
VOLENIK	OTP-AM MIN	S-391 GOLDTHWAIT

LD 1214 proposed to provide a one dollar state match for every three dollars spent by a school administrative unit on local produce for that unit's food service programs.

Committee Amendment "A" (S-134) proposed to add a \$37,200 appropriation to the bill to fund the state match.

Senate Amendment "A" (S-391) proposed to specify that the type of foods eligible for state match is produce or minimally processed foods purchased directly from a farmer or farmers' cooperative in the State.

Enacted law summary

Public Law 2001, chapter 447 provides a one dollar match for every 3 dollars a school administrative unit spends on produce or minimally processed foods purchased directly from a farmer or farmers' cooperative in the State. The term "minimally processed" is defined to mean only the washing, cleaning, trimming, drying, sorting and packaging of food items or a combination of those activities. This law establishes an Other Special Revenue account and provides that authorization for use of matching funds is contingent on the receipt of revenue from public or private sources by the Department of Education for this purpose. The law also allocates \$500 in fiscal

Joint Standing Committee on Education and Cultural Affairs

year 2002-03 to the Local Produce Fund to allow reimbursement of locally grown produce contingent on the receipt of additional funds by the Department of Education.

LD 1223 **An Act to Allow a School Board to Suspend a Student for Rest of Term for Violent Behavior** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS G	ONTP	
DAVIS P		

LD 1223 proposed to increase the number of days the school board may authorize the principal to suspend a student for the balance of the semester, trimester or quarter, whichever is used in the school.

Current law allows a school board to authorize a principal to suspend a student who behaves in a violent manner for a maximum of 10 days.

LD 1234 **An Act to Strengthen the State's Truancy Law** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH	ONTP	

LD 1234 proposed to require the superintendent to convene a formal hearing if the superintendent is unable to resolve a truancy informally. Under the proposed bill, referral of a truancy to the school board would have been eliminated. In addition, the bill proposed that if a parent of a student determined to be habitually truant after a hearing failed to correct the truancy, the parent would have committed a Class E crime for which a minimum fine of \$50 would be assessed.

Current law requires the principal of a truant student to inform the superintendent of the school administrative unit or school union when the principal determines that the student is truant. If the problem can not be resolved informally, the matter is referred to the school board for a formal hearing. A parent of a truant student commits a civil violation if that parent is primarily responsible for the truancy.

LD 1239 **Resolve, to Direct the Department of Education to Synchronize Secondary School Calendars with the Vocational Schools** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	ONTP	

LD 1239 proposed to direct the Department of Education to review secondary and vocational education school calendars to ensure that schools have the same student instructional days.

Joint Standing Committee on Education and Cultural Affairs

LD 1261 **An Act to Promote Abstinence in Sex Education and through Public Education** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL MCALEVEY	ONTP MAJ OTP-AM MIN	

LD 1261 proposed to suggest curriculum and materials emphasizing abstinence for sex education and human sexuality instruction given by school administrative units. The bill also proposed to create the Maine Abstinence Oversight Council, Maine Abstinence Program and Maine Abstinence Fund to reduce through public education the number of children in the State born to unwed mothers.

LD 1263 **An Act to Increase the Number of Students Eligible for Free Tuition in the University of Maine System** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS	ONTP	

LD 1263 proposed to require an institution under the jurisdiction of the University of Maine System that offers free tuition to the top 2 graduates of a secondary school in the State to offer the tuition to the next highest graduate if one of the top 2 graduates declines the free tuition until 2 students accept the free tuition or the free tuition is offered to the top 10 graduates of the secondary school.

LD 1264 **Resolve, to Establish a Task Force to Refine the Governance and Funding of the Education Research Institute** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESMOND MITCHELL B	OTP-AM	H-487

LD 1264, a concept draft pursuant to Joint Rule 208, proposed to clarify the governance structure and the funding mechanism of the Education Research Institute. The bill proposed to accomplish the following:

1. Clearly define the responsibility of the institute in collecting and analyzing education information and performing targeted education research for the Legislature;
2. Provide predictable, sustainable and adequate funding to support the purposes of the institute; and
3. Define the roles and responsibilities of the Joint Standing Committee on Education and Cultural Affairs and the institute's steering committee in developing the work plan of the institute.

Joint Standing Committee on Education and Cultural Affairs

LD 1301

An Act to Implement Changes in Cost-sharing Agreements in School Districts

PUBLIC 375

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD MITCHELL B	OTP-AM	H-628

LD 1301 proposed to implement recommendations of a study of methods of changing cost-sharing formulas in school administrative districts and community school districts conducted by the State Board of Education. The bill proposed to accomplish the following:

1. Provide an option for municipal members of a school district to design a cost-sharing formula that fits local needs without requiring legislative approval;
3. Require the locally developed cost-sharing option to be approved by majority referendum vote in each municipality in the district, rather than by majority vote at a district-wide meeting;
4. Provide the assistance of outside professional facilitation services if local officials are unable to agree on cost-sharing changes; and
5. Require the Department of Education to provide comprehensive, unbiased cost-sharing information and other assistance to districts and municipalities considering cost-sharing changes.

Committee Amendment "A" (H-628) proposed to add a mandate preamble and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 375 implements recommendations of a study of methods of changing cost-sharing formulas in school administrative districts and community school districts conducted by the State Board of Education. The law:

1. Provides an option for municipal members of a school district to design a cost-sharing formula that fits local needs without requiring legislative approval;
2. Requires the locally developed cost-sharing option to be approved by majority referendum vote in each municipality in the district, rather than by majority vote at a district-wide meeting;
3. Provides the assistance of outside professional facilitation services if local officials are unable to agree on cost-sharing changes; and
4. Requires the Department of Education to provide comprehensive, unbiased cost-sharing information and other assistance to districts and municipalities considering cost-sharing changes.

Joint Standing Committee on Education and Cultural Affairs

LD 1306

An Act to Implement the Recommendations of the Task Force on Educational Programming at Juvenile Correctional Facilities

PUBLIC 452

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-667 S-384 GOLDTHWAIT

LD 1306 proposed to implement certain recommendations of the task force on educational programming at juvenile correctional facilities. The bill proposed to accomplish the following:

1. Provide that criminal justice agency officials must provide notice to the superintendent of the school to which a juvenile who has been charged in a juvenile petition that alleged the use or threatened use of physical force against a person or who was adjudicated as having committed one or more juvenile crimes seeks admission of the availability of information concerning that juvenile;
2. Provide that, upon request of a superintendent of the school in which a juvenile seeks admission, a juvenile community corrections officer must provide the superintendent with certain information related to the current status of a juvenile's compliance with any informal adjustment alternative program, supervised work or service program, restitution program, juvenile drug treatment court program or conditions of probation as determined by a juvenile community corrections officer or ordered by the court;
3. Require the Commissioner of Education to establish standards and to provide technical assistance regarding reintegration teams for juveniles released or discharged from juvenile corrections facilities and seeking admission into schools in the State;
4. Require school superintendents to provide planning for reintegration teams, including training for school personnel involved in reintegration planning and with access to confidential records of juveniles;
5. Require compliance with reintegration planning provisions as part of basic school approval for public and private schools approved for tuition purposes;
6. Amend the scope and duties of the Commissioner of Education's advisory committee on truancy, dropouts and alternative education to include reintegration planning for a juvenile released or discharged from a juvenile corrections facility and seeking admission into a school in the State;
7. Require that school superintendents report annually on planning efforts for reintegrating juveniles into the school environment to the Commissioner of Education's advisory committee on truancy, dropouts and alternative education; and
8. Require the Commissioner of Corrections, the Commissioner of Education, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services and the chair of the policy review council established under the Maine Revised Statutes, Title 34-A, section 3002-A or their designees to present an annual report to the Council on Children and Families and the Children's Cabinet on the progress of implementation efforts regarding the juvenile correctional educational programs, the integration of behavioral health, mental health and substance abuse programming and release and discharge planning, transition services, aftercare services and reintegration planning provided to youths discharged from juvenile correctional facilities.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment “A” (H-667) proposed to replace section 1 of the bill with changes to existing law in both the Maine Juvenile Code and the laws governing the Department of Corrections. These proposed changes recognize a school's interest in having information to ensure a successful reintegration of a juvenile offender and clarify the current ability for the department and others to share information, which may otherwise be confidential, with the school for purposes of reintegration. This amendment also proposed to require the Department of Corrections to notify the superintendent of a school about the availability of information when a juvenile in the custody of the Department of Corrections is seeking admission to that school after release from a juvenile correctional facility. The superintendent may then request information about the juvenile for use by a reintegration team, which must be provided as long as it falls under the requirements guarding the release of confidential information pertaining to juveniles in the juvenile justice system. The superintendent must establish a reintegration team to plan for the juvenile's transition into the school.

The amendment further proposed to amend Section 3 of the bill to correct a cross-reference to delete the provision concerning parents, custodians and guardians consenting in writing to the release of additional information because even if such consent is given, there may be information that is not appropriate or may be unlawful to share. The Maine Revised Statutes, Title 15 and Title 34-A already take account of this and allow for sharing of appropriate information by consent.

This amendment also proposed to clarify that a juvenile is not "transferred" from a juvenile correction facility to a school, but is enrolled.

This amendment further proposed to clarify that current confidentiality laws, as amended to include reintegration, are sufficient to inform a school about a juvenile's compliance with relevant conditions. Only if those conditions are not complied with should a school be able to deny admission to a juvenile.

The amendment also proposed to add a fiscal note to the bill.

Senate Amendment “A” (S-384) proposed to add a mandate preamble to the bill.

Enacted law summary

Public Law 2001, chapter 452 implements certain recommendations of the task force on educational programming at juvenile correctional facilities. The law amends existing statutes governing the Maine Juvenile Code, the Department of Corrections, the Department of Education and local school administrative units in recognizing a school's interest in having information to ensure a successful reintegration of a juvenile offender and clarify the current ability for the Department of Corrections and others to share information, which may otherwise be confidential, with the school for purposes of reintegration.

The law accomplishes the following:

1. It requires the Department of Corrections to notify the superintendent of a school about the availability of information when a juvenile in the custody of the Department of Corrections is seeking admission to that school after release from a juvenile correctional facility. The superintendent may then request information about the juvenile for use by a reintegration team, which must be provided as long as it falls under the requirements guarding the release of confidential information pertaining to juveniles in the juvenile justice system. The superintendent must establish a reintegration team to plan for the juvenile's transition into the school;

Joint Standing Committee on Education and Cultural Affairs

2. It requires the Commissioner of Education to establish standards and to provide technical assistance regarding reintegration teams for juveniles released or discharged from juvenile corrections facilities and seeking admission into schools in the State;
3. It requires school superintendents to provide planning for reintegration teams, including training for school personnel involved in reintegration planning and with access to confidential records of juveniles;
4. It requires compliance with reintegration planning provisions as part of basic school approval for public and private schools approved for tuition purposes;
5. It expands the scope and duties of the Commissioner of Education's advisory committee on truancy, dropouts and alternative education to include reintegration planning for a juvenile released or discharged from a juvenile correctional facility and seeking admission into a school in the State;
6. It requires that school superintendents report annually on planning efforts for reintegrating juveniles into the school environment to the Commissioner of Education's advisory committee on truancy, dropouts and alternative education;
7. It clarifies that current confidentiality laws, as amended to include reintegration, are sufficient to inform a school about a juvenile's compliance with relevant conditions. Only if those conditions are not complied with should a school be able to deny admission to a juvenile; and
8. It requires the Commissioner of Corrections, the Commissioner of Education, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services and the chair of the policy review council established under the Maine Revised Statutes, Title 34-A, section 3002-A or their designees to present an annual report to the Council on Children and Families and the Children's Cabinet on the progress of implementation efforts regarding the juvenile correctional educational programs, the integration of behavioral health, mental health and substance abuse programming and release and discharge planning, transition services, aftercare services and reintegration planning provided to youths discharged from juvenile correctional facilities.

LD 1312

**An Act to Eliminate the \$1,000,000 Cap Eligibility Requirement for
the School Revolving Renovation Fund**

ONTP

Sponsor(s)
MITCHELL B
LEDWIN

Committee Report
ONTP

Amendments Adopted

LD 1312 proposed to prohibit placing a limit on the amount of money that may be disbursed from the School Revolving Renovation Fund to a school administrative unit, school building or project.

Joint Standing Committee on Education and Cultural Affairs

LD 1318

An Act to Improve the Academic Climate in Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B	ONTP	

LD 1318 proposed to change the compulsory school attendance requirement from 7 years of age or older and under 17 years of age to 6 years of age or older and under 16 years of age.

This bill also proposed to improve the academic focus of schools by requiring earlier entry to school. It further proposed to remove the negativity associated with the truancy issues of older teens who often detract from the academic atmosphere of the school.

LD 1341

An Act to Permit the Submission of Citizens' Initiatives and Citizens' Vetoes to School Districts

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN	ONTP MAJ OTP-AM MIN	

LD 1341 proposed to provide for a direct initiative and people's veto process for school policies and rules, except those that pertain to staffing or salary matters, any other personnel matters or any budgetary matters, to be exercised by the voters of any school administrative unit. As proposed, the processes established would have been similar to those available under the Constitution of Maine for initiation and veto of legislation by the voters of the State.

LD 1359

An Act to Ensure Safe and Healthy Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT COWGER	ONTP	

LD 1359 proposed to provide several measures to address urgent health and safety issues in school facilities in the State. The bill proposed to accomplish the following.

1. Raise the maximum limit for debt service costs in fiscal year 2005 from \$84,000,000 to \$88,000,000, and for fiscal years 2006 and 2007, establish the maximum limit for debt service costs at \$92,000,000 and \$96,000,000, respectively.
2. Require the State Board of Education to hold harmless school administrative units for those school construction projects that were rated as a priority under a major capital improvement program, but did not receive state board approval due to the debt service limits for school construction projects. Under the proposed bill, school administrative units that received revolving renovation funds to remediate a first priority status health, safety

Joint Standing Committee on Education and Cultural Affairs

and compliance problem that was part of the school construction project that was rated a priority would be held harmless in the following rating cycle for a major capital improvement program.

3. Provide that the Commissioner of Education may request transfers from the Maine Rainy Day Fund for school facility emergencies that became known after the priority rating list and funding approval decisions have been made for the current period of the major capital improvement program.

LD 1360 **Resolve, to Establish a Task Force to Study Improving Economic Opportunities for Maine People Through Higher Education Attainment** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP	

LD 1360 proposed to establish a task force to examine the continuing education levels and training required for people in the current work force to assist them in obtaining high-skill, high-wage jobs in the State.

LD 1377 **An Act to Credit a Town for Payment from Local Funds for School Construction** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	ONTP	

LD 1377 proposed to require that a school administrative unit that was authorized to issue securities for a nonstate-funded school construction project receive credit for the sum total of principal and interest costs paid from local funds without state participation at such time as the unit's project is approved for funding by the State Board of Education. Under this proposed bill, the school administrative unit would have been authorized to include principal and interest costs paid from local funds in the unit's debt service costs for state subsidy purposes. The bill also proposed to authorize the State Board of Education to adopt rules to carry out this purpose.

LD 1383 **An Act to Provide Additional Funding for the Geographic Isolation Adjustment** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	OTP-AM MAJ	S-195
MENDROS	ONTP MIN	

LD 1383 proposed to provide funding to fully fund the geographic isolation adjustment to the school funding formula and proposed to establish the Task Force to Study the Geographic Isolation Adjustment of the School Funding Formula and Other Geographic Isolation Issues to study and report on issues, especially in the area of school funding, for those geographically isolated island and inland communities.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (S-195) was the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment proposed to strike and replace the bill with an appropriation to the General Purpose Aid for Local Schools program in the Department of Education so that additional funding could be allocated to the geographic isolation adjustment to the school funding formula above and beyond the funds already included in the current services budget for fiscal year 2001-02 and fiscal year 2002-03. The amendment also proposed to replace the emergency preamble and the emergency clause and further proposed to add a fiscal note to the bill. (Not adopted)

The substance of this bill and the committee amendment were addressed in the Part II budget (see P.L. 2001, c. 439, Part DDDD). Additional General Fund appropriations of \$75,000 for fiscal year 2001-02 and \$100,000 for fiscal year 2002-03 were included as supplemental allocations for the geographic isolation adjustment to the school funding formula.

LD 1390 An Act to Reinstate the Cost-of-living Factor in the School Funding Formula ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS	ONTP MAJ	
LEMONT	OTP-AM MIN	

LD 1390 proposed to reinstate the use of a cost-of-living factor in the school funding formula.

LD 1393 An Act to Enhance the Professional Skills of Maine's Educational Technicians PUBLIC 98

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MATTHEWS	OTP-AM	H-190

LD 1393 proposed to require that the rules used in defining the qualifications of educational technicians must recognize work experience credits earned through completion of apprenticeship programs offered by the Department of Labor.

Committee Amendment "A" (H-190) proposed to require that the Commissioner of Education recognize applicable work experience credits earned through work apprenticeship programs offered by the Department of Labor when certifying educational technicians.

Enacted law summary

Public Law 2001, chapter 98 requires that the rules used in defining the qualifications of educational technicians must recognize applicable work experience credits earned through completion of apprenticeship programs offered by the Department of Labor.

Joint Standing Committee on Education and Cultural Affairs

LD 1403 **Resolve, to Establish the Task Force on School Governance** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN	ONTP	
TURNER		

LD 1403 proposed to create a task force to review the structure of school governance in the State through the roles of the school board, superintendent, principals, teachers and the broader school community.

LD 1474 **An Act to Provide Students Tuition Grants Based on Performance on the Maine Educational Assessment** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN	ONTP	
SMALL		

LD 1474 proposed to establish the Maine Educational Assessment Scholarship Fund to provide a \$500 tuition grant at a public or private postsecondary educational institution in this State or outside of the State to any student in the 11th grade who performs at the distinguished level on the educational assessment test or any student in the 11th grade who performs at one or more performance levels higher than that student performed in the 8th grade on the educational assessment test. The bill further proposed to provide that the Commissioner of Education annually identify eligible students and notify the Finance Authority of Maine of the names of those students who are eligible to receive a tuition grant. Eligible students would have been awarded the tuition grants upon the successful completion of one semester during which the eligible students made satisfactory academic progress.

LD 1481 **An Act to Permit the Ten Commandments to be Posted in Public Schools** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL	ONTP MAJ	
DAVIS P	OTP-AM MIN	

LD 1481 proposed a referendum question to the general voters to allow the prominent display of the Ten Commandments of the Bible in public schools, which by definition of the Maine Revised Statutes, Title 20-A, section 1, subsection 24 means a school governed by a school board of a school administrative unit and funded primarily with public funds.

Joint Standing Committee on Education and Cultural Affairs

LD 1486 **An Act to Create the Child Development Services Advisory Committee** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER CATHCART		

LD 1486 proposes to establish a Child Development Services Advisory Committee to provide advice to the Department of Education concerning a comprehensive and collaborative early intervention system of services. The bill has been carried over to the Second Regular Session.

LD 1487 **Resolve, to Establish the Blue Ribbon Commission to Review Special Education Laws** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL SMALL	OTP-AM	H-127

LD 1487 proposed to establish a Blue Ribbon Commission to Review Special Education Laws to report back to the Second Regular Session of the 120th Legislature.

Committee Amendment "A" (H-127) proposed to change the membership of the Blue Ribbon Commission to Review Special Education Laws by removing 2 Legislators and to add in their place a person who is a home school educator and a person who is a director of a special education program.

LD 1502 **An Act Regarding Contracts for Energy Conservation and Air Quality Improvements in School Buildings** **PUBLIC 376 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B RICHARD	OTP-AM	H-618 RICHARD S-225

LD 1502 proposed to codify the past policy and practice of the State Government and bond counsel with regard to performance contracts for energy conservation or air quality improvements at school administrative unit facilities. This bill proposed to clarify that a performance contract for energy conservation or air quality improvements at school administrative unit facilities is not subject to the specific statutory competitive bidding requirements if the contract meets certain criteria.

Committee Amendment "A" (S-225) proposed to rewrite the current law governing agreements by school units for energy conservation improvements with maintenance and performance guaranties to include combined energy conservation and air quality improvements. School units could select contractors by means of a request for qualifications or a request for proposals. The proposed selection process must be publicly advertised and at least 3

Joint Standing Committee on Education and Cultural Affairs

firms must be interviewed unless a smaller number responds. The Department of Administrative and Financial Services, Bureau of General Services must approve the performance criteria that are proposed as the basis of the contractor's performance guaranty. It also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-618) proposed to add additional standards for request for qualifications and proposals for energy conservation and air quality improvements in school buildings intended to prevent bias or favoritism toward particular service providers.

Enacted law summary

Public Law 2001, chapter 376 codifies the past policy and practice of the State Government and bond counsel with regard to performance contracts for energy conservation or air quality improvements at school administrative unit facilities. The law clarifies that a performance contract for energy conservation, air quality improvements or combined energy conservation and air quality improvements at school administrative unit facilities is not subject to the specific statutory competitive bidding requirements if the contract meets certain criteria. The law also provides that school units may select contractors by means of a request for qualifications or a request for proposals; and further provides that the selection process must be publicly advertised, that at least 3 firms must be interviewed unless a smaller number responds and that a request for qualifications or proposals must meet certain standards intended to prevent bias or favoritism toward particular service providers. Finally, the law provides that the Department of Administrative and Financial Services, Bureau of General Services, must approve the performance criteria that are the basis of the contractor's performance guaranty.

Public Law 2001, chapter 376 was enacted as an emergency measure effective June 8, 2001.

LD 1531

An Act to Enable Formation of Public Charter Schools

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	ONTP MAJ	
SMALL	OTP-AM MIN	

LD 1531 proposed to allow certain educational bodies to approve the establishment of charter schools, a new type of public school, to be a part of the State's program of public education.

Committee Amendment "A" (H-654), which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to replace the bill and allow existing public schools to incorporate as public charter schools if the State Board of Education determined that the organization and operation of the school comply with the requirements for a charter school under federal law. The amendment would have allowed those schools to incorporate as a charter school and to apply to the United States Secretary of Education for federal grants to charter schools in the manner provided by federal law.

The amendment also proposed to require the State Board of Education to adopt major substantive rules establishing a process for the formation of public charter schools that are not affiliated with existing public schools for submission to the Legislature for consideration no later than February 15, 2002.

Joint Standing Committee on Education and Cultural Affairs

LD 1548

An Act to Amend the School Funding Formula by Adding a Hold-harmless Provision

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN	ONTP MAJ OTP-AM MIN	

LD 1548 proposed to provide an ongoing hold-harmless provision for the general purpose aid for local schools program. The bill proposed to require that, beginning in fiscal year 2001-02 and for each fiscal year thereafter, the Legislature provide each school administrative unit with at least the same share of state subsidy that it received for fiscal year 2000-01 for operating costs, program costs, excluding the state share of bus purchases, and minimum subsidy.

LD 1553

An Act to Provide Funding for Education

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

LD 1553 proposed to accomplish the following.

1. Establish a postsecondary enrollment grant program to be administered by the Finance Authority of Maine. Under this program, a Maine high school graduate enrolled in an associate degree program at a public or private institution of higher education in the State would receive a grant of \$2,000 per year and a Maine high school graduate enrolled in a baccalaureate degree program at a public or private institution of higher education in the State would receive a grant of \$4,000 per year.
2. Provide a supplemental appropriation of \$139,656,122 to the general purpose aid to local schools program in fiscal year 2000-01 to fully fund the 55% state share of the total allocation for costs incurred by school administrative units, defined as the total of the foundation allocation and the debt service allocation.
3. Eliminate the so-called "percentage reduction method" from the School Finance Act of 1985. Under this bill, the state share of school funding would have returned to 55% of the cost of the total allocation.
4. Direct the Legislature to review the plan proposed by the State Board of Education for implementing a new school funding formula based on the Essential Programs and Services model developed by the board's Essential Programs and Services Committee, require the Joint Standing Committee on Education and Cultural Affairs to review the Essential Programs and Services plan and authorize the committee to introduce legislation during the Second Regular Session of the 120th Legislature to replace the existing school funding formula with a new school funding formula based on the Essential Programs and Services model.

Joint Standing Committee on Education and Cultural Affairs

LD 1556

An Act to Protect Children from Internet Pornography

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPREY	ONTP MAJ	
MITCHELL B	OTP MIN	

LD 1556 proposed to forbid an elementary or secondary school or school, state, institutional or public library from allowing a person under 18 years of age from accessing obscene or pornographic materials through the use of the school's or library's computer. The bill proposed to direct the Department of Education and the Maine State Library to collaborate in adopting rules to implement this bill.

LD 1557

**An Act to Exempt the City of Waterville, the Town of Winslow and CARRIED OVER
School Administrative District 47 and School Administrative
District 49 from Lease Limitations on Educational Structures**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER		
GAGNON		

LD 1557 proposes to exempt the City of Waterville, the Town of Winslow and School Administrative District 47 and School Administrative District 49 from the limitations on including the lease of portable, temporary space or the lease or lease-purchase of temporary or permanent nonadministrative instructional space as eligible debt service costs for state subsidy. The proposed exemption would be provided solely for the purpose of establishing a regional alternative education program. The bill has been carried over to the Second Regular Session.

LD 1563

An Act to Amend School Immunizations Requirements

PUBLIC 326

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING R	OTP-AM MAJ	H-446
MITCHELL B	OTP-AM MIN	

LD 1563 proposed to make technical changes to the laws pertaining to immunization requirements for school children and to allow specific disease and vaccine requirements to be adopted by rule rather than prescribed in statute.

Committee Amendment "A" (H-446), which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to repeal provisions that specify in statute the diseases for which an immunization certificate is required for enrollment in public or private elementary or secondary school and allow the Commissioner of Education and the Bureau of Health to specify those diseases in major substantive rules adopted jointly by those agencies. The amendment also proposed to repeal provisions that allow exemptions from immunization requirements for moral or other personal reasons, while leaving in the exemptions for medical, religious or philosophical reasons.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "B" (H-447), which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to list varicella, commonly known as "chicken pox," among the other diseases listed in statute for which an immunization certificate is required for enrollment in public or private elementary or secondary school. The amendment also proposed to make a technical correction by making the 2 definitions of "disease" consistent within the laws pertaining to immunization requirements for school enrollment and to repeal provisions that allow exemptions from immunization requirements for moral or other personal reasons while leaving in the exemptions for medical, religious or philosophical reasons.

Enacted law summary

Public Law 2001, chapter 326 repeals provisions that specify in statute the diseases for which an immunization certificate is required for enrollment in public or private elementary or secondary school and allows the Commissioner of Education and the Bureau of Health to specify those diseases in major substantive rules adopted jointly by those agencies. The law also repeals provisions that allow exemptions from immunization requirements for moral or other personal reasons, while leaving in the exemptions for medical, religious or philosophical reasons.

LD 1576 **Resolve, Directing the Department of Education to Revise its Rules Relating to School Lunch Program** **ONTP**

<u>Sponsor(s)</u> KILKELLY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1576 proposed to direct the Department of Education to revise its school lunch program as it pertains to the items on an a la carte menu.

LD 1580 **An Act to Fund the Implementation of Student Achievement Standards by Fulfilling the State Commitment to Fund 55% of Public Education Costs for Kindergarten to Grade 12** **CARRIED OVER**

<u>Sponsor(s)</u> KILKELLY ESTES		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1580 proposes to provide that the Legislature shall provide at least 55% of the cost of the total allocation from General Fund revenue sources by fiscal year 2006-07. Under this bill, the Legislature would be required to annually establish a minimum contribution level to achieve the 55% minimum contribution level. The bill proposes to establish a minimum contribution level of 45% for fiscal year 2001-02 and a minimum contribution level of 47% for fiscal year 2002-03. The bill further proposes to establish minimum contribution level targets over the next 4 fiscal years to achieve the 55% minimum contribution level by fiscal year 2006-07.

The bill also proposes to provide that the State must appropriate the necessary General Fund revenue to meet the minimum contribution levels established in order for the academic year 2002-03 deadline imposed on school

Joint Standing Committee on Education and Cultural Affairs

administrative units to achieve the system of learning results to remain in effect. If the minimum contribution levels are not achieved, then this deadline would become voluntary and the timeline for full implementation of the system of learning results is established at the discretion of school boards. The bill has been carried over to the Second Regular Session.

LD 1592 **An Act to Offer Businesses and the Technical Colleges Incentives
for Providing Workforce Health Care Training** **DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	OTP-AM MAJ OTP-AM MIN	S-312

LD 1592 proposed to direct the establishment of the Health Careers Incentive Program to encourage students to pursue a career in the field of health care. The program proposed to award scholarships to students at Maine's technical colleges in return for working in communities in need of health care workers.

The bill proposed to direct the establishment of the Health Workforce Retraining Program to make grants available to eligible health care businesses and organizations to provide training and retraining of health care employees to address changes in the health care workforce.

The bill also proposed to establish the Health Care Training Fund to be used for the purposes of the Health Careers Incentive Program and the Health Work Force Retraining Program.

Committee Amendment "A" (S-312) was the majority report of the committee. The amendment proposed to eliminate the Health Careers Incentive Program and proposed to change the Health Workforce Retraining Program from a grant program available to eligible health care businesses and organizations to a matching grant program that establishes education and training programs for eligible health care businesses and organizations that provide dollar-for-dollar matching funds and meet eligibility criteria established by rules of the Maine Technical College System. The amendment also proposed to provide a one-time appropriation of \$100,000 in fiscal year 2001-02 to establish the Health Workforce Retraining Program.

This amendment also proposed to add a fiscal note to the bill.

While this bill as amended died on adjournment, the substance of the bill, in the form of a one-time General Fund appropriation of \$80,000 in fiscal year 2001-02 to establish the Health Workforce Retraining Program, was included in the Part II budget bill (see P.L. 2001, c. 439, Part HHHH).

LD 1595 **An Act to Increase the Number of Licensed Speech-Language
Pathologists to Serve Maine Schools** **DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART	OTP-AM	S-284

Joint Standing Committee on Education and Cultural Affairs

LD 1595 proposed to establish a loan forgiveness program for Maine residents who are licensed speech-language pathologists who have outstanding Stafford loans incurred while obtaining a master's degree in speech-language pathology and who agree to practice in public schools in the State. A licensed speech-language pathologist who agrees to practice for one academic year in a public school is entitled to forgiveness of a maximum amount of \$10,000 in outstanding Stafford loans for each year the speech-language pathologist continues to practice in that position up to a maximum of 2 years. It also proposed to remove speech pathologists from inclusion in the Educators for Maine Program.

Committee Amendment "A" (S-284) proposed to limit the maximum loan repayment amount available to each participant in the program to \$5,000 per year and also proposed to limit the number of eligible persons who can receive such loan repayments to 10 new students per year in each year. The amendment also proposed to add an appropriation section and a fiscal note to the bill.

LD 1606 **An Act to Limit Funding for Special Education** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	ONTP	

LD 1606 proposed to limit state aid for special education students to the maximum percentage of subsidizable special education students established annually by the Commissioner of Education for each school administrative unit. Under the proposed bill, the maximum limits established by the commissioner would have been calculated based on the pupil counts determined for school administrative units for calculating operating costs in the school funding formula.

LD 1635 **An Act to Increase the Debt Limit of the Calais School District Trustees** **P & S 30**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY	OTP-AM	S-250

LD 1635 proposed to revise and increase the debt limit of the charter of the Calais School District.

Committee Amendment "A" (S-250) proposed to make revisions to the charter of the Calais School District to make the charter consistent with recent changes in federal and state laws, including provisions of the federal Internal Revenue Code and the Maine Municipal Bond Bank. The amendment further proposed to correct the name of the school district.

Enacted law summary

Private and Special Law 2001, chapter 30 increases the debt limit established in the charter of the Calais School District from \$3,550,000 to \$6,000,000. The law also makes revisions to the school district charter to make the

Joint Standing Committee on Education and Cultural Affairs

charter consistent with recent changes in federal and state laws, including provisions of the federal Internal Revenue Code and the Maine Municipal Bond Bank.

LD 1636 **An Act to Increase Funding Alternatives for Small School Construction Projects** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO MAILHOT	ONTP	

LD 1636 proposed to rename and expand the scope of the School Revolving Renovation Fund to include small construction projects of 10,000 or fewer square feet to existing schools. The bill also proposed to provide an additional \$30,000,000 to the fund for fiscal year 2001-02.

LD 1644 **An Act to Amend and Improve Education Laws** **PUBLIC 344**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD MITCHELL B	OTP-AM	H-523

LD 1644 proposed to delete language contained in the School Finance Act of 1985 relating to superintendents' salaries and subsidy. After the enactment of the School Finance Act of 1995, this language has no longer had any impact on subsidy calculations. This proposed change is a technical change in the School Finance Act of 1985 to reflect the change in subsidy calculations provided for in the School Finance Act of 1995. It also proposed to clarify the audit requirements and to modify the reporting requirements in the Maine Revised Statutes, Title 20-A, section 6051. Proposed changes include: (1) correction of section 1, paragraph E to include applicable provisions of the School Finance Act of 1995; (2) clarification of the requirement that the annual financial report be reconciled with the annual audit report; and (3) modification of the reporting requirements. These proposed clarifications should improve the quality of audits of school administrative units by ensuring appropriate use of funds and providing more flexible reporting requirements that will meet the needs of both the Department of Education and school administrative units. It also should improve the ability of the Department of Education to forecast the cost of school bus fleet replacement, improve the overall condition and safety of the publicly owned school bus fleet and reduce annual fleet maintenance costs. Local school administrative units could benefit by receiving subsidy for school bus lease-purchases under the same rules that govern cash and note purchases.

Committee Amendment "A" (H-523) proposed to remove the position of Federal and State Education Program Coordinator, an unclassified major policy influencing position, from the Maine Revised Statutes, Title 5 and Title 20-A since this position has been reclassified as an Education Team Leader and Policy Director, a classified, confidential position.

Enacted law summary

Public Law 2001, chapter 344 makes certain changes to clarify and improve existing education laws. The law:

Joint Standing Committee on Education and Cultural Affairs

1. Makes a technical change to clarify language in the school funding formula laws relating to superintendents' salaries and state subsidy calculations;
2. Modifies requirements relating to the obligations that school administrative units provide an annual audit report and an annual financial report to the Commissioner of Education;
3. Provides greater flexibility in the procurement of school buses by permitting school administrative units with the option of lease-purchasing school buses and by excluding lease-purchase payments for school buses from statutory limits on annual expenditures for school bus purchases; and
4. Reclassifies the position of Federal and State Education Program Coordinator, an unclassified major policy influencing position, as an Education Team Leader and Policy Director, a classified, confidential position.

LD 1647

An Act to Allow Averaging of Unallocated Balances Over 3% for School Budgets

PUBLIC 127

Sponsor(s)
MITCHELL B
RICHARD

Committee Report
OTP

Amendments Adopted

LD 1647 proposed to permit school boards to carry forward general operating fund balances at the end of a school administrative unit's fiscal year to meet the needs of the school administrative unit for up to 3 years. Under this bill, school boards would have the discretion of carrying forward unallocated balances in excess of 3% of the previous year's school budget for up to 3 years to reduce the state and local allocations for the purpose of computing state subsidy.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Public Law 2001, chapter 127 permits school boards to carry forward general operating fund balances at the end of a school administrative unit's fiscal year to meet the needs of the school administrative unit for up to 3 years. Under this law, school boards have the discretion of carrying forward unallocated balances in excess of 3% of the previous year's school budget for up to 3 years to reduce the state and local allocations for the purpose of computing state subsidy.

LD 1648

**An Act to Expand Higher Educational Opportunities in
Underserved Rural Areas**

**DIED ON
ADJOURNMENT**

Sponsor(s)
BENNETT

Committee Report
OTP-AM

Amendments Adopted
S-224

LD 1648 proposed to make the following appropriations:

1. A one-time General Fund appropriation of \$2,100,000 in fiscal year 2001-02 to renovate and equip classroom space at the University of Maine System's Western Maine University Center, which would be established in partnership with the Maine Technical College System;
2. Funding for operations of the Western Maine University Center in fiscal year 2002-03;
3. A one-time General Fund appropriation of \$150,000 in fiscal year 2001-02 to renovate and equip classroom space at the University of Maine at Machias; and
4. A one-time General Fund appropriation of \$200,000 in fiscal year 2001-02 to renovate and equip classroom space at the Maine Technical College System's Katahdin Area K-Tech Center.

Committee Amendment "A" (S-224) proposed to replace the bill. The amendment proposed to clarify the appropriations for the Western Maine University and Technical College Center and for other programs at the University of Maine System and the Maine Technical College System. The amendment proposed to make the following appropriations:

1. A one-time General Fund appropriation of \$2,100,000 to the University of Maine System for renovation of the Western Maine University and Technical College Center;
2. A one-time General Fund appropriation of \$150,000 in fiscal year 2001-02 to the University of Maine System for the University of Maine at Machias to renovate and equip classroom space;
3. A General Fund appropriation of \$90,000 in fiscal year 2002-03 to the University of Maine System for Western Maine University and Technical College Center operations;
4. A one-time General Fund appropriation of \$200,000 in fiscal year 2001-02 to the Katahdin Area K-Tech Center to construct a child care center to meet the needs of working students;

Joint Standing Committee on Education and Cultural Affairs

5. A General Fund appropriation of \$60,000 in fiscal year 2002-03 to the Maine Technical College System for Western Maine University and Technical College Center operations; and
6. It also proposed to add a fiscal note to the bill.

While this bill as amended died on adjournment, the substance of certain provisions of the bill as amended by the committee amendment, was included in the Part II budget bill (see P.L. 2001, c. 439, Part JJJJ). The supplemental budget bill included appropriations for the following purposes:

1. A one-time General Fund appropriation of \$120,000 in fiscal year 2001-02 for architectural work and an appropriation of \$90,000 in ongoing funds in fiscal year 2002-03 for operations of the Western Maine University and Technical College Center to the University of Maine System;
2. An ongoing General Fund appropriation of \$60,000 in fiscal year 2002-03 to the Maine Technical College System for Western Maine University and Technical College Center operations; and
3. An ongoing General Fund appropriation of \$50,000 in fiscal year 2001-02 and fiscal year 2002-03 for operating costs of the at the Katahdin Area K-Tech Center.

Similar provisions to those contained in the bill were also contained in LD 1378, which was enacted as P&SL 2001, c. 37. Contingent upon passage of a \$36,700,000 General Fund bond, bond fund proceeds would be allocated for the following purposes:

1. Funds totaling \$1,800,000 to the University of Maine System to renovate and equip classroom space at the Western Maine University Center;
2. Funds totaling \$200,000 to the Maine Technical College System to renovate and equip classroom space at the Katahdin Area K-Tech Center; and
3. Funds totaling \$100,000 to the University of Maine System to renovate and equip classroom space at the Calais Center.

LD 1656

An Act to Simplify and Reform the School Funding Formula

ONTP

Sponsor(s)
MILLS

Committee Report
ONTP

Amendments Adopted

LD 1656 proposed to divide general purpose aid into its 4 component parts: operating costs, program costs, debt service and direct state costs, formerly called adjustments. The bill proposed to require that all 4 components receive separate default appropriations to take effect if the Legislature failed to appropriate new funds prior to March 31st of each year. The bill would have been effective for the fiscal year that begins July 1, 2002.

The bill contained transition cushions to buffer the change from the Maine Revised Statutes, Title 20-A, chapter 606-A to chapter 607-A over a period of 2 fiscal years. For those school units who would lose subsidy under the law, only 1/2 the loss would be recognized in the first year with the remainder picked up in the 2nd.

Joint Standing Committee on Education and Cultural Affairs

Under the proposed bill, beginning July 2, 2004, a permanent cushion system would go into effect. Any unit that depended on state subsidies to fund 30% or more to its base year operating costs would be protected against losing any more than 5% in combined operating and program cost from one fiscal year to the next. The cushions would be funded by a mechanism that clips off excess subsidies that would otherwise be given to those units whose gains exceed a maximum percentage, which is annually calculated by the Commissioner of Education at the rate necessary to pay the cushion subsidies.

LD 1659 **Resolve, Establishing a Task Force to Study Alternative Secondary Education and the Unique Needs of Disenfranchised Students** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEAVEY SMALL	ONTP	

LD 1659 proposed to establish the Task Force to Study Alternative Secondary Education and the Unique Needs of Disenfranchised Students.

LD 1675 **Resolve, to Facilitate Attracting and Retaining a High Quality Work Force at the University of Maine System** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL CATHCART	ONTP	

LD 1675 proposed to establish the Commission to Examine Health Insurance Benefits Provided to University of Maine System Employees. The commission would have examined providing health insurance benefits to University of Maine System employees under the same group health plan that is available to state employees and would have reported back to the Second Regular Session of the 120th Legislature.

LD 1684 **An Act to Ensure Adequate Funding for School Construction Costs** **DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN WOODCOCK	OTP-AM	H-193 H-258 RICHARD

LD 1684 proposed to require the Commissioner of Education to pay as a supplement to the regular student tuition for unorganized territory students attending school in School Administrative District No. 58 a debt service factor to help fund school construction costs of the school district. The amount of the debt service factor is proposed to equal to 10% of the tuition rate for unorganized territory students attending school in School Administrative District No. 58. The commissioner would be required to pay the debt service factor annually for 10 years or until

Joint Standing Committee on Education and Cultural Affairs

the debt associated with the school addition project at Kingfield Elementary School is retired, whichever occurs first.

Committee Amendment "A" (H-193) proposed to add an appropriation section and a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-258) proposed to amend the committee amendment to reflect revised information regarding the costs associated with the bill.

While this bill as amended died on adjournment, the substance of certain provisions of the bill as amended by the amendments, was included in the Part II budget bill (see P.L. 2001, c. 439, Part MMMM). The supplemental budget bill included a General Fund appropriation of \$66,355 in fiscal year 2001-02 and fiscal year 2002-03 for the first 2 of 10 years of debt service in School Administrative District No. 58.

LD 1712

An Act to Implement the Recommendations of the Task Force on the Maine Learning Technology Endowment

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM A	
	ONTP B	
	OTP-AM C	

LD 1712 was introduced by the Joint Standing Committee on Education and Cultural Affairs and proposed to implement the recommendations of the Task Force on the Maine Learning Technology Endowment as authorized pursuant to Public Law 1999, chapter 731, Part FFF, section 2. The bill proposed to amend the governance and investment provisions of current law related to the Maine Learning Technology Endowment by providing for the establishment of the Advisory Board of the Maine Learning Technology Endowment and by clarifying the roles and responsibilities of the Commissioner of Education and the Commissioner of Administrative and Financial Services with respect to the Maine Learning Technology Endowment. The bill also proposed to provide a set of guiding principles for the Maine Learning Technology Endowment and proposed to provide that the components of the learning technology plan that were recommended by the task force may be recommended by the Commissioner of Education and the Advisory Board of the Maine Learning Technology Endowment to the Legislature, as appropriate, for implementation of the proposed learning technology plan using proceeds from the endowment beginning in the 2002-03 school year.

Committee Amendment "A" (H-671) was the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment proposed to add an emergency preamble and emergency clause to the bill and proposed to accomplish the following.

1. It clarifies references to the Board of Trustees of the Maine State Retirement System, which may be the entity selected by the Commissioner of Administrative and Financial Services to manage the investment of the endowment fund.
2. It transfers \$20,000,000 of the original amount appropriated to the Maine Learning Technology Endowment fund, plus the interest income earned from the investment of the \$50,000,000 in the endowment fund on August 1, 2001, to the unexpended General Fund appropriations account.

Joint Standing Committee on Education and Cultural Affairs

3. It requires the State to raise a minimum of \$15,000,000 in contributions from nonstate sources by January 8, 2003. Failure of the State to raise these contributions from nonstate sources by this date will result in the removal of the limitation on the use of the endowment principal in implementing the learning technology plan in fiscal year 2002-03 through fiscal year 2005-06.
4. It stipulates that the principal and income of the endowment may not be used to implement the fundraising plan. It allows limited use of the initial principal to ensure timely start-up and implementation of Phase I of the task force plan for grades 7 and 8.
5. It establishes a mechanism to allow donors to redirect their contributions to the endowment if the State fails to raise sufficient contributions by January 8, 2003.
6. It also proposed to add a fiscal note to the bill.

While this amendment was not adopted and the bill was indefinitely postponed, the substance of certain provisions of the bill as amended by the majority report of the committee, was included in the Part 1 budget bill (see P.L. 2001, c. 358 Part II).

LD 1741 An Act to Guarantee Girls Equal Access to Sports Teams DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP MAJ OTP-AM MIN	

LD 1741 proposed to require all school administrative units to allow female student athletes in a secondary school to try out for and participate on any baseball, basketball, football, hockey, soccer or wrestling team affiliated with the school.

Committee Amendment "A" (H-623) proposed to clarify that girls must be allowed to try out for a sports team affiliated with a public secondary school but are not required to be admitted to the team unless they make the team. It proposed to give the Department of Education the authority to determine the best way to ensure that talented Maine girls are not prevented from trying out for their school's best teams.

LD 1747 An Act Regarding School Funding Based on Essential Programs and Services DIED ON ADJOURNMENT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD MITCHELL B	OTP-AM	H-457

LD 1747 proposed to establish a timeline for a transition to a new school funding approach, based on essential programs and services, in order to provide all children with an equitable opportunity to access the resources

Joint Standing Committee on Education and Cultural Affairs

necessary to achieve the high standards of Maine's system of learning results. The bill proposed to define the core components of essential programs and services, including those elements to be funded on a per-pupil basis, resources for specialized student populations, major cost components to be determined on other than a per-pupil basis and targeted grants. The bill proposed to provide that funding essential programs and services is a state-local partnership, and that local school administrative units retain the authority to determine how to expend funds once they are received from the State, with the exception of the targeted grants. The bill proposed to provide for a report from the State Board of Education and the Commissioner of Education on a comprehensive transition plan, including revisions to the school finance laws, to be submitted in January 2002.

Committee Amendment "A" (H-457) proposed to add a fiscal note to the bill.

While this bill as amended died on adjournment, the Part II budget bill included a General Fund appropriation of \$150,000 in fiscal year 2001-02 (contingent on availability of unappropriated surplus funds at the end of fiscal year 2000-01) to the State Board of Education to continue the implementation of essential programs and services model (see P.L. 2001, c. 439, Part EE, Sec. EE-2, subsection 18).

LD 1757

An Act to Encourage Savings for Higher Education

PUBLIC 380

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON SAXL	OTP	S-298 SMALL

LD 1757 proposed to make the following changes to the laws governing the Maine College Savings Program.

1. It clarifies that money in the Maine College Savings Program Fund may be used by the Finance Authority of Maine to provide refunds of administrative fees paid by program participants to any class of participants, to provide matching grants to encourage savings for higher education to any class of participants and to provide scholarship funds for individuals attending institutions of higher education in the State.
2. It clarifies that, if an account is opened by an entity that is not required by the Internal Revenue Code to designate a beneficiary, that participant is not required to designate a beneficiary when opening an account.
3. It clarifies that an individual participant may designate a successor participant to become owner of the account on the death or disability of the current participant.

Senate Amendment "A" (S-298) proposed to make clear that the beneficiary of a program account under the Maine College Savings Program need not attend a Maine-based institution of higher education.

Enacted law summary

Public Law 2001, chapter 380 makes the following changes to the laws governing the Maine College Savings Program.

1. It clarifies that money in the Maine College Savings Program Fund may be used by the Finance Authority of Maine to provide refunds of administrative fees paid by program participants to any class of participants, to provide matching grants to encourage savings for higher education to any class of participants and to provide

Joint Standing Committee on Education and Cultural Affairs

needs-based scholarship funds for the beneficiary of a program account whether or not the beneficiary attends an institution of higher education in the State.

2. It clarifies that, if an account is opened by an entity that is not required by the Internal Revenue Code to designate a beneficiary, that participant is not required to designate a beneficiary when opening an account.
3. It clarifies that an individual participant may designate a successor participant to become owner of the account on the death or disability of the current participant.

LD 1760

An Act to Implement Maine's System of Learning Results

PUBLIC 454

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B	OTP-AM MAJ	S-303
RICHARD	ONTP MIN	

LD 1760 proposed to address inconsistencies in the laws that could hinder implementation of the system of learning results for students in Maine public and approved private schools. It proposed to require implementation of the system of learning results in several key places in the Maine Revised Statutes, Title 20-A, such as the sections of law governing the purpose of the Department of Education, the duties of the Commissioner of Education and the State Board of Education, vocational programs, approved private schools and schools in the unorganized territories.

It further proposed to amend the requirements for school approval, including the requirement to have a comprehensive education plan that addresses all required plans, and proposed to establish the importance of training and development for all school personnel as a means to implement the system of learning results. It proposed to require a comprehensive system of local and state assessments and proposed to establish a schedule for using a local assessment system as the basis for program, placement and student graduation decisions. It also proposed to establish an implementation schedule for content standards in career preparation, visual and performing arts, and foreign languages that would be linked to funding of essential programs and services. It proposed to provide for a waiver of this requirement to be developed through rulemaking, as well as rulemaking to provide a smooth transition from the current system to the system that is proposed.

Finally, this bill proposed to provide for a system of accountability for schools where students are not meeting standards, providing assistance to these schools to support the learning of students.

Committee Amendment “A” (S-303) proposed to make the following changes to the bill.

1. For basic school approval purposes, it requires that each school administrative unit prepare and implement a comprehensive education plan that, among other requirements, is focused on the learning of all students.
2. It requires the Commissioner of Education to promote the importance of ongoing training and development and encourage initiatives that prepare school personnel to fully implement the system of learning results.
3. It allows the use of commercially produced assessment tools as part of the local assessment system, but they may not carry a majority of the weight in determining student performance.

Joint Standing Committee on Education and Cultural Affairs

4. It provides that the requirement that local units implement standards in the additional content areas of career preparation, foreign languages and visual and performing arts is contingent upon funding based on essential programs and services or its equivalent. The amendment also provides that the commissioner is authorized to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of 2006-2007.
5. It provides that, when a waiver of school approval requirements is granted, the unit must provide the commissioner with a plan to reduce reliance on waivers in the future. Financial hardship is one criterion in determining whether to grant the waiver.
6. It provides that rules adopted under the Maine Revised Statutes, Title 20-A, chapter 222 are major substantive rules.
7. With regard to requirements for private schools, it deletes the reference to students enrolled in private schools in the commissioner's duties concerning providing leadership in implementing learning results and reporting to the Governor and the Legislature.
8. It deletes the requirement linking contracts between sending and receiving schools to require compliance with curriculum rules adopted by the commissioner.
9. It requires that the local assessment system be fully implemented by the end of the 2003-2004 school year in school administrative units. It also clarifies that the requirements apply to public high schools.
10. It adds a new subsection on graduation decisions at public high schools, phasing in the content areas of learning results to require graduation to be determined by student achievement in all content areas by the 2009-2010 school year.
11. It revises the application of the statewide system of learning results to private schools approved for tuition that enroll at least 60% publicly funded students.
12. It adds a new section governing the application of the system to certain private schools. Private schools that enroll 60% or more publicly funded students are required to participate in the system of learning results as specifically provided.
13. It requires that the required component of Maine studies that is Maine Native American studies will be addressed in the review of content standards and performance indicators of the learning results.
14. It adds unallocated language to the bill to accomplish the full implementation of the system of learning results. The amendment clarifies that the intent of the Legislature is to provide adequate funding from the State to finance the requirements of fully implementing the system of learning results. The amendment also provides that the Joint Standing Committee on Education and Cultural Affairs shall consider financing the requirements of the system of learning results as it reviews the transition of the school funding formula to a formula based on the essential programs and services model during the Second Regular Session of the 120th Legislature.
15. It also proposed to add a fiscal note to the bill.

Enacted law summary

Joint Standing Committee on Education and Cultural Affairs

Public Law 2001, chapter 454 addresses inconsistencies in the education laws and revises certain sections of the education laws related to the implementation of the system of learning results for students in Maine public schools and private schools approved for tuition that enroll at least 60% publicly funded students.

The law accomplishes the following:

1. It amends the requirements for basic school approval, including the requirement that each school administrative unit prepare and implement a comprehensive education plan that, among other requirements, is focused on the learning of all students. It also provides that, when a waiver of school approval requirements is granted, the unit must provide the commissioner with a plan to reduce reliance on waivers in the future; and establishes financial hardship as one criterion in determining whether to grant the waiver;
2. It requires the Commissioner of Education to promote the importance of ongoing training and development and encourage initiatives that prepare school personnel to fully implement the system of learning results;
3. It requires a comprehensive system of local and state assessments be fully implemented in school administrative units by the end of the 2003-2004 school year; and it further allows the use of commercially produced assessment tools as part of the local assessment system, but they may not carry a majority of the weight in determining student performance;
4. It provides that the requirement that local units implement standards in the additional content areas of career preparation, foreign languages and visual and performing arts is contingent upon funding based on essential programs and services or its equivalent. It provides for a waiver of this requirement to be developed through rulemaking, and also authorizes the commissioner to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of 2006-2007;
5. It also establishes a schedule for using a local assessment system as the basis for program, placement and student graduation decisions at public high schools; and also provides that graduation decisions must be determined by student achievement in all content areas by the 2009-2010 school year;
6. It provides for a system of accountability for schools where students are not meeting standards, including providing assistance to these schools to support the learning of students;
7. It revises the application of the statewide system of learning results for certain private schools by clarifying that the learning results only apply to private schools approved for tuition that enroll at least 60% publicly funded students as specifically provided in Maine Revised Statutes, Title 20-A, chapter 222;
8. It requires that the required component of Maine studies that is Maine Native American studies will be addressed in the review of content standards and performance indicators of the learning results;
9. It provides that rules adopted under the Maine Revised Statutes, Title 20-A, chapter 222 are major substantive rules; and
10. It clarifies that the intent of the Legislature is to provide adequate funding from the State to finance the requirements of fully implementing the system of learning results; and also provides that the Joint Standing Committee on Education and Cultural Affairs shall consider financing the requirements of the system of learning results as it reviews the transition of the school funding formula to a formula based on the essential programs and services model during the Second Regular Session of the 120th Legislature.

Joint Standing Committee on Education and Cultural Affairs

LD 1762

An Act to Address Maine's School Facilities Needs

DIED ON
ADJOURNMENT

Sponsor(s)
DESMOND
TREAT

Committee Report
OTP-AM

Amendments Adopted
H-645

LD 1762 proposed to raise the debt service limit for school facilities bonds for fiscal year 2005-06 and fiscal year 2006-07 in order to increase the quantity of school construction and major renovation projects that can be approved in concept by the State Board of Education to go forward during 2002, 2003 and 2004 with bond repayments to impact those fiscal years. The bill also proposed to refine the provisions relating to the School Revolving Renovation Fund to permit funds to be provided in the future for basic structural repairs, learning space upgrades and other improvements.

The bill further proposed to direct the Department of Education and the State Board of Education to make rules to "hold harmless" in the 2001-2002 rating cycle certain school construction project applications from the 1999-2000 rating cycle that have made interim health and safety improvements prior to submitting a reapplication for the 2001-2002 rating cycle. The bill also proposed to direct the Department of Education and the Maine Municipal Bond Bank to amend the rules governing the School Revolving Renovation Fund to increase flexibility and efficiency by providing that the maximum loan amount for a school building may be set at a level other than \$1,000,000 under certain circumstances.

Committee Amendment "A" (H-645) proposed to eliminate the removal of underground oil storage tanks on the grounds of a school building from the list of eligible school repairs and renovations that can receive first priority status from the School Revolving Renovation Fund. The amendment also proposed to reduce the amount that must be appropriated, allocated or repaid to the School Revolving Renovation Fund before permitting funds to be provided in the future for basic structural repairs, learning space upgrades and other improvements.

The amendment further proposed to direct the Department of Education and the State Board of Education to evaluate the impact of the amendment to rules governing school construction projects that established a "hold harmless" provision in the 2001-2002 rating cycle for certain school construction project applications from the 1999-2000 rating cycle that have made interim health and safety improvements prior to submitting a reapplication for the 2001-2002 rating cycle and to report their findings, together with recommendations regarding the establishment of an ongoing hold harmless provision in the rules governing school construction projects, to the joint standing committee of the legislature having jurisdiction over education and cultural affairs by January 15, 2003.

Finally, the amendment proposed to direct the Department of Education and the Maine Municipal Bond Bank to amend the rules governing the School Revolving Renovation Fund to increase flexibility and efficiency by providing that the maximum loan amount for a school building may be set at a level not to exceed \$3,000,000 under certain circumstances. It also proposed to add a fiscal note to the bill.

While this bill as amended died on adjournment, the Part II budget bill included similar provisions to those contained in the bill as amended by the committee amendment (see P.L. 2001, c. 439, Part OOOO).

Joint Standing Committee on Education and Cultural Affairs

LD 1765

An Act to Authorize Release of Certain Information Pertaining to the Certification, Authorization and Approval of Educational Personnel

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-532
	OTP-AM MIN	

LD 1765 was reported from the Joint Standing Committee on Education and Cultural Affairs pursuant to 2001 Joint Order, House Paper 1143 and proposed to authorize the Maine State Police and the Commissioner of Education to release certain general information relating to the fingerprinting and criminal history record checks of educational personnel. The bill proposed to provide an exception for the following information from the confidentiality provision established for the criminal history record checks of educational personnel:

1. Information explaining the process used by the Maine State Police for fingerprinting and conducting criminal history record checks;
2. Statistics and information on the number of persons fingerprinted and the number of criminal history record checks completed, being processed and projected to be completed in each 5-year licensing cycle;
3. Information explaining the process used by the Department of Education for reviewing criminal history record checks, applying the statutory standard for disqualification and determining appropriate agency action;
4. Statistics and information on the number of applications for certification, authorization and approval processed by or pending with the Department of Education and the number projected to be processed in each 5-year licensing cycle; and
5. Aggregate statistics and aggregate information on the number of individuals for whom the Commissioner of Education denied, refused to renew, revoked or suspended a certificate, authorization or approval, or determined to be ineligible for employment based on the results of a criminal history record check.

The bill further proposed to require that the dissemination of statistics and other information must be made in a manner that preserves the confidentiality of the information contained in the criminal history records provided to the Commissioner of Education from which these statistics are drawn. Finally, the bill proposed to allow the Maine State Police, for fiscal year 2000-01 only, to disseminate the number of criminal history records that contain a record of conviction data and were provided to the Commissioner of Education following the completion of processing criminal history record checks during fiscal years 1999-00 and 2000-01.

Committee Amendment "A" (H-532) was the majority report of the Joint Standing Committee on Education and Cultural Affairs and proposed to clarify that the Commissioner of Education may disseminate information about only the aggregate number of educational personnel applicants who have been fingerprinted and the aggregate number that represents the sum total of educational personnel applicants for whom the commissioner has denied, refused to renew, revoked or suspended a certificate, authorization or approval, or that the commissioner has determined to be ineligible for employment based on the results of a criminal history record check.

It also proposed to add a fiscal note to the bill.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "B" (H-755) was the minority report and proposed to authorize the Commissioner of Education to report a list of all the crimes and offenses for which individuals were rendered ineligible for employment and a number of those individuals who were convicted of any criminal offense involving the physical or sexual abuse or exploitation of a child.

It also proposed to add a fiscal note to the bill. The amendment was not adopted.

LD 1779

An Act to Create the Legislative Youth Advisory Council

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT BENNETT	OTP-AM	H-474

LD 1779 proposed to establish the Legislative Youth Advisory Council to provide advice to the Legislature and its committees, commissions and task forces, the President of the Senate and the Speaker of the House on matters relating to youth.

Committee Amendment "A" (H-474) proposed to clarify that members of the Legislative Youth Advisory Council may be reappointed for additional 2-year terms, as long as they remain eligible for service on the council, and to remove a provision in the bill that incorrectly cited the Department of Education as the entity that grants school credit for extracurricular service.

While this bill as amended died on adjournment, the Part II budget bill included similar provisions to those contained in the bill as amended by the committee amendment (see P.L. 2001, c. 439, Part PPPP).

LD 1781

Resolve, Regarding Legislative Review of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a Major Substantive Rule of the Department of Education

**RESOLVE 41
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 1781, a resolve, proposed to provide for legislative review of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a major substantive rule of the Department of Education.

Enacted law summary

Resolve 2001, chapter 41 authorizes final adoption of regulations concerning the formula for distribution of funds to the regional sites of the Child Development Services System, a provisionally-adopted, major substantive rule of the Department of Education. The rule governs the annual distribution of funds to regional intermediate educational units in accordance with a funding formula to ensure the provision of Childfind, early intervention services and special education and related services for eligible children from birth to under age 3.

Joint Standing Committee on Education and Cultural Affairs

Resolve 2001, chapter 41 was finally passed as an emergency measure effective May 29, 2001.

LD 1783	Resolve, Regarding Legislative Review of Chapter 60: New School Siting Approval, a Major Substantive Rule of the Department of Education	RESOLVE 47 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 1783 proposed to approve Chapter 60: New School Siting Approval, a major substantive rule of the State Board of Education within the Department of Education.

Enacted law summary

Resolve 2001, chapter 47 approves Chapter 60: New School Siting Approval, a major substantive rule of the State Board of Education within the Department of Education.

Resolve 2001, chapter 47 was finally passed as an emergency measure effective June 5, 2001.

LD 1797	Resolve, to Establish the Blue Ribbon Commission on Postsecondary Educational Attainment	RESOLVE 66 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH SAXL	OTP-AM	S-314 S-389 GOLDTHWAIT

LD 1797, a resolve, proposed to create the Blue Ribbon Commission on Postsecondary Educational Attainment to study the impact of improving postsecondary educational attainment on the State's economy, assess the success of current efforts to improve educational attainment. The commission would submit its report, together with a plan to improve the State's levels of associate's degree and bachelor's degree attainment and any necessary implementing legislation, to the Second Regular Session of the 120th Legislature.

Committee Amendment "A" (S-314) proposed to revise the membership of the commission and change the title of the resolve to accurately state the name of the blue ribbon commission created by the resolve. The amendment also proposed to add an appropriation section and a fiscal note to the resolve.

Senate Amendment "A" (S-389) proposed to provide that the President of the Senate and the Speaker of the House of Representatives, rather than the Governor, make the 6 appointments of public members to the Blue Ribbon Commission on Postsecondary Educational Attainment. It also proposed to change the report date from February 1, 2002 to December 5, 2001. The amendment also proposed to remove the General Fund appropriation, which is included in the Part II budget.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Resolve 2001, chapter 66 creates the Blue Ribbon Commission on Postsecondary Educational Attainment to study the impact of improving postsecondary educational attainment on the State's economy, and assess the success of current efforts to improve educational attainment. The commission is to submit its report, together with a plan to improve the State's levels of associate's degree and bachelor's degree attainment and any necessary implementing legislation, to the Second Regular Session of the 120th Legislature.

Resolve 2001, chapter 66 was finally passed as an emergency measure effective June 28, 2001.

LD 1802	Resolve, Regarding Legislative Review of Chapter 115, Part I, Section 8.5: Targeted Need Certificate, a Major Substantive Rule of the State Board of Education	RESOLVE 48 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1802 proposed to approve Chapter 115, Part I, Section 8.5: Targeted Need Certificate, a major substantive rule of the Department of Education, State Board of Education.

Enacted law summary

Resolve 2001, chapter 48 approves Chapter 115, Part I, Section 8.5: Targeted Need Certificate, a major substantive rule of the Department of Education, State Board of Education.

Resolve 2001, chapter 48 was finally passed as an emergency measure effective June 5, 2001.

LD 1805	An Act to Amend the Charter of Bates College	P & S 28
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<u>Sponsor(s)</u> ROTUNDO O'BRIEN L	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1805 proposed to amend the charter of Bates College as follows.

1. It gives the chairs and the vice-chairs of the board of fellows and the board of overseers the exclusive responsibility to preside over their respective meetings.
2. It authorizes the chair and the vice-chair of the board of fellows to serve as the chair and the vice-chair of the corporation, and for the chair of the board of fellows to preside over the executive committee. In the chair's absence, the vice-chair of the board of fellows and the chair and vice-chair of the board of overseers are authorized to preside over executive committee meetings.

Joint Standing Committee on Education and Cultural Affairs

3. It provides that future changes to the charter will be made under the Maine Nonprofit Corporation Act, contained in the Maine Revised Statutes, Title 13-B, or any successor.
4. The bill also proposed to make several clerical corrections and change gender-specific language.

Enacted law summary

Private and Special Law 2001, chapter 28 amends the charter of Bates College as follows:

1. It gives the chairs and the vice-chairs of the board of fellows and the board of overseers the exclusive responsibility to preside over their respective meetings;
2. It authorizes the chair and the vice-chair of the board of fellows to serve as the chair and the vice-chair of the corporation, and for the chair of the board of fellows to preside over the executive committee. In the chair's absence, the vice-chair of the board of fellows and the chair and vice-chair of the board of overseers are authorized to preside over executive committee meetings;
3. It provides that future changes to the charter will be made under the Maine Nonprofit Corporation Act, contained in the Maine Revised Statutes, Title 13-B, or any successor; and
4. It makes several clerical corrections and changes gender-specific language in the charter.

LD 1817	An Act to Provide Funding Related to the Lewiston-Auburn College Teachers for Elementary and Middle Schools Project	DIED ON ADJOURNMENT
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1817 proposed to make a one-time appropriation of \$75,000 to the teachers for elementary and middle schools project at the University of Maine System for the benefit of the Lewiston-Auburn College of the University of Southern Maine to be used as seed money for program-related investment in support of establishing a comprehensive, long-range endowed fellowship for students in the Lewiston-Auburn College teachers for elementary and middle schools project.

While this bill died on adjournment, the Part II budget bill included similar provisions to those contained in the bill (see P.L. 2001, c. 439, Part P).

Joint Standing Committee on Education and Cultural Affairs

SP 496

JOINT RESOLUTION - Encouraging Public Schools to Teach a Firearms and Hunter Safety Course

ONTP

Sponsor(s)
KILKELLY

Committee Report
ONTP

Amendments Adopted

SP 496 proposed to recognize the exceptional quality of Maine's hunter safety program offered by the Department of Inland Fisheries and Wildlife and to encourage every Maine school system to incorporate this course into its curriculum to make it available to all students.

HP 1299

JOINT ORDER – Relative to Establishing the Committee to Examine the Availability of Textbooks in Primary and Secondary Schools

ONTP

Sponsor(s)
TRAHAN

Committee Report
ONTP

Amendments Adopted

HP 1299 proposed to examine the availability of textbooks in primary and secondary schools. The joint study order also proposed to determine the age and condition of textbooks in various grade levels in school administrative units across the State and to determine the unmet need for textbooks in terms of the number of textbooks needed and the cost for these textbooks.

LD INDEX

LD 1	279	LD 967	300
LD 3	279	LD 977	301
LD 21	279	LD 991	301
LD 22	280	LD 994	301
LD 111	281	LD 999	302
LD 147	281	LD 1011	303
LD 150	282	LD 1020	303
LD 182	282	LD 1032	304
LD 215	283	LD 1043	304
LD 269	283	LD 1047	306
LD 282	284	LD 1089	306
LD 291	284	LD 1090	306
LD 329	285	LD 1100	307
LD 334	285	LD 1133	307
LD 337	286	LD 1134	308
LD 339	286	LD 1163	308
LD 405	287	LD 1183	309
LD 422	287	LD 1184	309
LD 466	287	LD 1214	309
LD 475	288	LD 1223	310
LD 532	288	LD 1234	310
LD 535	289	LD 1239	311
LD 567	289	LD 1261	311
LD 604	289	LD 1263	311
LD 605	290	LD 1264	311
LD 621	290	LD 1301	312
LD 622	290	LD 1306	313
LD 627	291	LD 1312	315
LD 659	291	LD 1318	316
LD 660	291	LD 1341	316
LD 690	292	LD 1359	316
LD 715	292	LD 1360	317
LD 720	293	LD 1377	317
LD 731	294	LD 1383	318
LD 732	294	LD 1390	318
LD 750	294	LD 1393	318
LD 754	294	LD 1403	319
LD 766	295	LD 1474	319
LD 770	296	LD 1481	320
LD 811	297	LD 1486	320
LD 842	297	LD 1487	320
LD 859	297	LD 1502	321
LD 860	297	LD 1531	322
LD 873	298	LD 1548	322
LD 878	298	LD 1553	322
LD 888	298	LD 1556	323
LD 889	299	LD 1557	323
LD 945	299	LD 1563	324
LD 963	300	LD 1576	324

LD INDEX

LD 1580	325
LD 1592	325
LD 1595	326
LD 1606	326
LD 1635	327
LD 1636	327
LD 1644	327
LD 1647	328
LD 1648	329
LD 1656	330
LD 1659	331
LD 1675	331
LD 1684	331
LD 1712	332
LD 1741	333

LD 1747	333
LD 1757	334
LD 1760	335
LD 1762	338
LD 1765	339
LD 1779	340
LD 1781	340
LD 1783	341
LD 1797	341
LD 1802	342
LD 1805	342
LD 1817	343
SP 496	344
HP 1299	344